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| From: | White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | RE: Heads up: UC requesting pregnancy termination |
| Date: | 2017/04/10 15:59:21 |
| Priority: | Normal |
| Type: | Note |

Scott,

It was confirmed to me this afternoon that the UC was discharged on Sunday to her sponsor.

Jonathan

From: White, Jonathan (ACF)
Sent: Monday, April 10, 2017 9:07 AM
To: Lloyd, Scott (ACF)
Cc: Gregg, Laura (ACF)
Subject: Re: Heads up: UC requesting pregnancy termination

Scott,

She was scheduled to be discharged to sponsor on Saturday. I have an email inquiry out to confirm that she has been released and joined her family. I will advise when I know for certain, which I expect to be this morning.

Jonathan

CDR Jonathan White
Deputy Director for Children's Programs
Office of Refugee Resettlement
Administration for Children and Families
Incident Commander, Unaccompanied Children Influx Response
(202) 690-6984 (office)
(202) (b)(6) (blackberry)
Jonathan.white@acf.hhs.gov

From: Lloyd, Scott (ACF)
Sent: Monday, April 10, 2017 8:57:57 AM
To: White, Jonathan (ACF)
Cc: Gregg, Laura (ACF)
Subject: RE: Heads up: UC requesting pregnancy termination

Jonathan, any updates on this case?

Thank you,
Scott

From: White, Jonathan (ACF)
Sent: Tuesday, April 04, 2017 5:28 PM
To: Lloyd, Scott (ACF)
Cc: Gregg, Laura (ACF)
Subject: RE: Heads up: UC requesting pregnancy termination

Great, I will let the staff asking me know. Thank you for the prompt reply.

From: Lloyd, Scott (ACF)
Sent: Tuesday, April 04, 2017 4:31 PM
To: White, Jonathan (ACF)
Cc: Gregg, Laura (ACF)
Subject: Re: Heads up: UC requesting pregnancy termination

Yes-- they were going to a CPC site today and we're going to proceed to discharge according to my understanding.

Thank you,
Scott

On: 04 April 2017 16:06, "White, Jonathan (ACF)" <Jonathan.White@ACF.hhs.gov> wrote:
Scott,

Were you able to speak with the pregnant girl at the SWK site (b)(6)? And if so, are we green-lighted to proceed with her discharge?

Jonathan

From: Lloyd, Scott (ACF)
Sent: Saturday, April 01, 2017 8:48 PM
To: White, Jonathan (ACF)
Cc: Gregg, Laura (ACF)
Subject: Re: Heads up: UC requesting pregnancy termination

Thx Jonathan. I'll be in the office Monday and half of Tuesday.

On: 01 April 2017 16:47, "White, Jonathan (ACF)" <Jonathan.White@ACF.hhs.gov> wrote:
Scott,

I haven't heard from the field yet--which makes me think we are looking at Monday.

I'll connect with Laura on your schedule for Monday. If memory serves, you're on the road then?

At all events, please let me know anything else you may need this weekend. I am working on a couple other pieces including next steps on juvenile justice approaches.

Jonathan

CDR Jonathan White
Deputy Director for Children's Programs
Office of Refugee Resettlement
Administration for Children and Families
Incident Commander, Unaccompanied Children Influx Response
(202) 690-6984 (office)
(202) (b)(6) (blackberry)
Jonathan.white@acf.hhs.gov

From: Lloyd, Scott (ACF)
Sent: Saturday, April 1, 2017 5:52:08 AM
To: White, Jonathan (ACF)
Cc: Gregg, Laura (ACF)
Subject: Re: Heads up: UC requesting pregnancy termination

Jonathan,

Thank you. Sounds like an honest mistake.

(b)(5)

Let me know.

Thank you,
Scott

On: 01 April 2017 00:18, "White, Jonathan (ACF)" <Jonathan.White@ACF.hhs.gov> wrote:

Scott,

See Arizona FFS Supervisor response below. When we spoke on the phone, she indicated that she had thought Adelante "is part of CPC"--it appears that a *different* CPC (Chicanos por la Casa) is a major network of Spanish-language health and social services providers in AZ.

We can talk in the morning if that's helpful.

Jonathan

CDR Jonathan White
Deputy Director for Children's Programs
Office of Refugee Resettlement
Administration for Children and Families
Incident Commander, Unaccompanied Children Influx Response
(202) 690-6984 (office)
(202) 570-8916 (blackberry)
Jonathan.white@acf.hhs.gov

From: Velazquez, Ivonne (ACF)
Sent: Friday, March 31, 2017 9:25:10 PM
To: White, Jonathan (ACF)
Cc: Bartholomew, Michael (ACF); Sualog, Jallyn (ACF); De LA Cruz, James (ACF); Swartz, Tricia (ACF); Gregg, Laura (ACF)
Subject: RE: Heads up: UC requesting pregnancy termination

Dear Jonathan,

I just got off the phone with SWK Program Director Reina Cossio. I was informed that the program did not thoroughly read and understood the directives given to them to take the UC to CPC. Instead the program took the UC to their regular provider Adelante Health Care. I was not aware that the program did not follow the directive as given until now as I also thought that Adelante Health Care was a network of CPC. I requested a response from the program to explain why the directive to take the UC to CPC was not followed.

Please let me know if you need anything else from me.

Thanks Ivonne

.

Ivonne Velazquez, LCSW

Federal Field Specialist Supervisor
United States Department of Health and Human Services
Administration of Children and Families
Office of Refugee Resettlement

Division of Unaccompanied Children Operations

Cell: 202-(b)(6)

<http://www.acf.hhs.gov/programs/orr>



Get answers about the Health Insurance Marketplace & Obamacare



Infórmese acerca del mercado de seguros médicos y sus nuevas opciones de cobertura.

From: White, Jonathan (ACF)

Sent: Friday, March 31, 2017 5:25 PM

To: Velazquez, Ivonne (ACF)

Cc: Bartholomew, Michael (ACF); Sualog, Jallyn (ACF); De LA Cruz, James (ACF); Swartz, Tricia (ACF); Gregg, Laura (ACF)

Subject: FW: Heads up: UC requesting pregnancy termination

Importance: High

Ivonne,

(b)(5)

I'd appreciate any updates we can get on this.

Jonathan

From: White, Jonathan (ACF)

Sent: Friday, March 24, 2017 11:56 AM

To: Velazquez, Ivonne (ACF); Bartholomew, Michael (ACF)

Cc: Misegades, Lara (ACF); De LA Cruz, James (ACF); Sualog, Jallyn (ACF); Swartz, Tricia (ACF); Gregg, Laura (ACF)

Subject: FW: Heads up: UC requesting pregnancy termination

Ivonne and Michael,

I am writing to provide follow-up guidance from HHS Policy Team on the UC at SWK Casa Las Palmas who has requested abortion services (b)(6) A# (b)(6)

Please see guidance below from Scott Lloyd. It covers next steps. Please let me know if you have any questions but please communicate with the medical provider and management of the shelter regarding these next steps. Don't hesitate to let me know any questions and please have SWK continue to update as plan elements are implemented. (b)(5)

Thank you.

Jonathan

From: Lloyd, Scott (ACF)
Sent: Friday, March 24, 2017 11:21 AM
To: White, Jonathan (ACF)
Cc: Tota, Kenneth (ACF); Bowman, Matthew (HHS/OGC)
Subject: RE: Heads up: UC requesting pregnancy termination

Jonathan,

(b)(5)

We'll work on formalizing these procedures, but we'll have to do it ad hoc for now.

Thank you,
Scott

E. Scott Lloyd
U.S. Department of Health and Human Services
(202) 260-7387
(202) (b)(6) (cell)
scott.lloyd@acf.hhs.gov

From: White, Jonathan (ACF)
Sent: Thursday, March 23, 2017 9:05 AM
To: Lloyd, Scott (ACF)
Cc: Tota, Kenneth (ACF)
Subject: RE: Heads up: UC requesting pregnancy termination

Mesa, Arizona. Just arrived in Switzer so I can get into encrypted comms now.

UC is (b)(6) A# (b)(6)

Attached is the SIR received.

From: Lloyd, Scott (ACF)
Sent: Thursday, March 23, 2017 9:00 AM
To: White, Jonathan (ACF)
Cc: Tota, Kenneth (ACF)
Subject: Re: Heads up: UC requesting pregnancy termination

Thank you.

Which state is this?

Also her UC portal# ?

Scott

On: 23 March 2017 08:36, "White, Jonathan (ACF)" <Jonathan.White@ACF.hhs.gov> wrote:

Scott,

Last night after midnight we received word that a UC at SWK Casa Las Palmas has requested abortion services. I don't have other details yet; should have those shortly but wanted to provide heads up. I am informed this is not the same UC as in earlier advisory.

Will get more information; standing by to receive guidance re next steps.

Jonathan

CDR Jonathan White
Deputy Director for Children's Programs
Office of Refugee Resettlement
Administration for Children and Families
Incident Commander, Unaccompanied Children Influx Response
(202) 690-6984 (office)
(202) (b)(6) (blackberry)
Jonathan.white@acf.hhs.gov

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| Sender: | White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Sent Date: | 2017/04/10 15:59:19 |
| Delivered Date: | 2017/04/10 15:59:21 |

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| From: | Russell, Elizabeth (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=916D756F38964634BBA542D79F1E1E30-RUSSELL, EL> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Subject: | Repatriation MOU and NERP Plan |
| Date: | 2017/04/11 09:52:19 |
| Priority: | Normal |
| Type: | Note |

Scott,

Attached, please find the Repatriation MOU between ACF and ASPR. In addition, please find an electronic copy of the HHS National Emergency Repatriation Plan (NERP), Base Plan, and NERP Operational Guide. Attachments are not included.

A binder will be provided with all these documents.

Best,
Elizabeth

LCDR Elizabeth B. Russell
Emergency Management Coordinator
U.S. Repatriation and Refugee Programs
U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Mary E. Switzer Building, 330 C ST SW, Room 5123
Washington, DC 20201
Tel: (202) 401-4845, BB: 202 (b)(6)
e-mail: Elizabeth.russell@acf.hhs.gov
HSDN/SIPR elizabeth.russell@dhs.gov

Please note change of BB#

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|------------------------|---|
| Sender: | Russell, Elizabeth (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=916D756F38964634BBA542D79F1E1E30-RUSSELL, EL> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Sent Date: | 2017/04/11 09:52:13 |
| Delivered Date: | 2017/04/11 09:52:19 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Subject: | Weekly Litigation Update |
| Date: | 2017/04/13 16:15:10 |
| Priority: | Normal |
| Type: | Note |

I have attached this week's litigation update.

In UC litigation, in *ACLU v Price* (family planning case), the judge reset the motion hearing to 4/27/17.

In refugee litigation, in *Alabama*, oral argument has been set for 5/18/17 in Atlanta, Ga. The *Oregon* case has been added to the tracker.

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Sent Date: | 2017/04/13 16:15:08 |
| Delivered Date: | 2017/04/13 16:15:10 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | FW: ACLU v. Burwell amended complaint |
| Date: | 2017/04/18 07:42:22 |
| Priority: | Normal |
| Type: | Note |

Scott,

I think this is the most helpful – it's the first amended complaint, which added trafficking to the case. I can also send the original and our reply briefs.

AnnaMaire

From: Haron, Judith (HHS/OGC)
Sent: Thursday, January 12, 2017 9:09 AM
To: Chon, Katherine (ACF); Hightower, Carolyn (ACF)
Cc: Lee, Gia (OS/OGC); Keith, Robert (HHS/OGC); Woolford, Llewellyn (HHS/OGC); Bena, Anna Marie (HHS/OGC) (ACF); Suh, Victor (HHS/OGC) (ACF) (CTR); Biswas, Toby R M (ACF)
Subject: FW: ACLU v. Burwell amended complaint

(b)(5)

- Judy Haron -
Deputy Associate General Counsel
Children, Families and Aging Division
HHS Office of the General Counsel
(202) 690 8005

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From: (b)(6) [mailto:(b)(6)@aclu.org]
Sent: Wednesday, January 11, 2017 4:12 PM
To: Phipps, Peter (CIV) <PPhipps@CIV.USDOJ.GOV>
Cc: (b)(6) (b)(6)@aclunc.org (b)(6)@aclunc.org (b)(6) (b)(6)@aclu.org
Subject: ACLU v. Burwell amended complaint

Peter – attached please find a redline of our proposed first amended complaint. Please let us know the government’s position on our motion to amend the complaint, which we hope to file in the next few days or so.

Best,
Brigitte

Brigitte Amiri
Senior Staff Attorney
ACLU Reproductive Freedom Project
125 Broad Street, 18th Floor
New York, NY 10004
212-(b)(5)
(b)(5)@aclu.org

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Sent Date: | 2017/04/18 07:42:21 |
| Delivered Date: | 2017/04/18 07:42:22 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | FW: ACLU v. Burwell |
| Date: | 2017/04/18 07:43:22 |
| Priority: | Normal |
| Type: | Note |

Original complaint

From: Haron, Judith (HHS/OGC)
Sent: Monday, October 24, 2016 9:24 AM
To: Bena, Anna Marie (HHS/OGC) (ACF); Biswas, Toby R M (ACF); Suh, Victor (HHS/OGC) (ACF) (CTR)
Cc: Woolford, Llewellyn (HHS/OGC)
Subject: ACLU v. Burwell

Anna Marie, Toby, and Victor.

(b)(5)

Thank you and do not hesitate to contact me with questions.

- Judy Haron -
Deputy Associate General Counsel
Children, Families and Aging Division
HHS Office of the General Counsel

(202) 690 8005

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| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Sent Date: | 2017/04/18 07:43:21 |
| Delivered Date: | 2017/04/18 07:43:22 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | FW: draft answer, ACLU v. Burwell |
| Date: | 2017/04/18 07:45:53 |
| Priority: | Normal |
| Type: | Note |

And here's the draft answer to the amended complaint. (I'll stop sending now.) I think the best doc to review is the amended complaint.

From: Haron, Judith (HHS/OGC)
Sent: Monday, February 13, 2017 12:06 PM
To: Bena, Anna Marie (HHS/OGC) (ACF); Suh, Victor (HHS/OGC) (ACF) (CTR); Biswas, Toby R M (ACF); Chon, Katherine (ACF)
Cc: Woolford, Llewellyn (HHS/OGC); Palacios, Caitlin (HHS/OGC)
Subject: draft answer, ACLU v. Burwell

ORR and OTIP, attached please find our draft answer to the amended complaint in ACLU v. Burwell (attached).

(b)(5)

- Judy Haron -
Deputy Associate General Counsel
Children, Families and Aging Division
HHS Office of the General Counsel
(202) 690 8005

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| Sent Date: 2017/04/18 07:45:53 |
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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
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| Subject: | Pregnancy Policy |
| Date: | 2017/04/19 11:33:02 |
| Priority: | Normal |
| Type: | Note |

I have attached a first draft of the pregnancy policy to see if this is going in the right direction. A few things to note:

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| 1. | (b)(5) |
| 2. | |
| 3. | |
| 4. | |
| 5. | |

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>" |
| Sent Date: | 2017/04/19 11:33:02 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>" |
| Subject: | Weekly Litigation Update |
| Date: | 2017/04/27 13:20:47 |
| Priority: | Normal |
| Type: | Note |

I have attached the weekly litigation update.

In UC litigation: in *ACLU v Price* (family planning), Brian Hauss withdrew as counsel for ACLU, and there was a Stipulated Protective Order regarding disclosure and discovery activity; in *SV* (damages action against DHS), a Settlement Order was filed on 4/26 with joint stipulation for dismissal due by 6/26; in *JLM* (habeas case of the UAC who was repatriated), the order dismissing the case was filed 4/20.

In refugee litigation: in the Indiana case, there was a 4/25 Scheduling Order, setting a status conference for 5/16; in the Oregon case, on 4/26, the Defendants (including HHS) filed an Unopposed Motion for Extension of Time to Respond to Complaint.

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>" |
| Sent Date: | 2017/04/27 13:20:45 |
| Delivered Date: | 2017/04/27 13:20:47 |

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| From: | Kurkky, Brian (ACF) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FAEE3BCD11CA4D88B8E39A7A6A4B49E0-KURKJY, BRI> |
| To: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| CC: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Subject: | RE: Overdue - Comments to OGA |
| Date: | 2017/04/27 17:05:52 |
| Priority: | Normal |
| Type: | Note |

Hi Laura-They are looking for comments on the attached. Should this go to Anna Marie and Tricia?

From: Gregg, Laura (ACF)
Sent: Thursday, April 27, 2017 4:58 PM
To: Kurkky, Brian (ACF) (CTR)
Cc: Lloyd, Scott (ACF)
Subject: FW: Overdue - Comments to OGA

Brian- can you let us know what this request is?

From: Barlow, Amanda (ACF)
Sent: Thursday, April 27, 2017 4:58 PM
To: Lloyd, Scott (ACF); Chon, Katherine (ACF)
Cc: Hightower, Carolyn (ACF); Cottingham, Kenneth (ACF); Mella, Emily (ACF); Gregg, Laura (ACF)
Subject: Overdue - Comments to OGA

Scott and Katherine,

(b)(5)

Thanks!

Amanda

Amanda Barlow
Acting Assistant Secretary
Administration for Children and Families
U.S. Department of Health and Human Services
(202)401-5009
Amanda.Barlow@acf.hhs.gov
www.acf.hhs.gov

| | |
|------------------------|---|
| Sender: | Kurkky, Brian (ACF) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FAEE3BCD11CA4D88B8E39A7A6A4B49E0-KURKJY, BRI> |
| Recipient: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Sent Date: | 2017/04/27 17:05:42 |
| Delivered Date: | 2017/04/27 17:05:52 |

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| From: | Simmons, Joann (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C1EC3C59ABE64BE9B2B46FF1732382D3-SIMMONS, JO> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>" |
| Subject: | FY 17 Approps Bill released |
| Date: | 2017/05/02 12:28:59 |
| Importance: | High |
| Priority: | Urgent |
| Type: | Note |

All,

Our section of the attached FY 2017 approps bill is located on pages 976 and 977 of the attached document.

(b)(5)

(b)(5)

Once the bill is signed, I will update our ORR Program File with the FY 2017 enacted level and send to all Division/Program Directors.

Joann Simmons

Director

Division of Budget and Data Analysis

Office of Refugee Resettlement

Administration for Children and Families

Department of Health and Human Services

(202) 401-5409

From: Jones, Robin (ACF)
Sent: Tuesday, May 02, 2017 12:18 PM
To: Simmons, Joann (ACF)
Subject: FY 17 Approps Bill released

Attached is the FY17 approps bill we expect Congress to pass this week.

Robin

| | |
|-------------------|---|
| Sender: | Simmons, Joann (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C1EC3C59ABE64BE9B2B46FF1732382D3-SIMMONS, JO> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group |

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|------------------------|---|
| | (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>" |
| Sent Date: | 2017/05/02 12:28:49 |
| Delivered Date: | 2017/05/02 12:28:59 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>" |
| Subject: | FW: Revised interrogatories and RFAs |
| Date: | 2017/05/03 09:00:05 |
| Priority: | Normal |
| Type: | Note |

FYI only.

-----Original Message-----

From: Haron, Judith (HHS/OGC)

Sent: Wednesday, May 03, 2017 8:36 AM

To: Bena, Anna Marie (HHS/OGC) (ACF); Suh, Victor (HHS/OGC) (ACF) (CTR); Biswas, Toby R M (ACF)

Cc: Bowman, Matthew (HHS/OGC); Palacios, Caitlin (HHS/OGC)

Subject: FW: Revised interrogatories and RFAs

(b)(5)

- Judy Haron -

Deputy Associate General Counsel

Children, Families and Aging Division

HHS Office of the General Counsel

(202) 690 8005

Notice: The contents of this message and any attachments are privileged and confidential. You should not disseminate or release this message and any attachments without the approval of the Office of the General Counsel. If you are not an intended recipient, or have received this message in error, please delete it without reading it and please do not print, copy, forward, disseminate, or otherwise use the information. Also, please notify the sender that you have received this communication in error. Your receipt of this message is not intended to waive any applicable privilege.

-----Original Message-----

From: Phipps, Peter (CIV) [mailto:Peter.Phipps@usdoj.gov]

Sent: Wednesday, May 03, 2017 1:18 AM

To: Haron, Judith (HHS/OGC); Woolford, Llewellyn (HHS/OGC); Palacios, Caitlin (HHS/OGC)

Cc: Grogg, Adam A. (CIV)

Subject: Revised interrogatories and RFAs

(b)(5)

Sincerely,
Peter

| | |
|------------------------|---|
| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbec78b5491faa5c79e1c569e43e-Sualog, Jal>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>" |
| Sent Date: | 2017/05/03 09:00:04 |
| Delivered Date: | 2017/05/03 09:00:05 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>" |
| Subject: | Weekly Litigation Update |
| Date: | 2017/05/04 12:42:03 |
| Priority: | Normal |
| Type: | Note |

I have attached this week's litigation update.

Summary:

UAC litigation. In *ACLU v Price* (family planning), on 4/28 the court denied the government's motion to transfer the case to the District Court for the District of Columbia. In *OGLS* (habeas), the judge granted the government's motion to seal its response brief and accompanying exhibits.

Refugee litigation. In *Tennessee*, various affidavits of service for the Summons and Complaint on the parties were filed. In *Oregon*, the judge granted the government's unopposed motion for extension of time to respond to the complaint (a response is now due by 6/27/17).

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>" |
| Sent Date: | 2017/05/04 12:42:01 |
| Delivered Date: | 2017/05/04 12:42:03 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>" |
| Subject: | Weekly Litigation Update |
| Date: | 2017/05/11 16:07:18 |
| Priority: | Normal |
| Type: | Note |

I have attached the weekly litigation update.

| | |
|------------------------|---|
| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>" |
| Sent Date: | 2017/05/11 16:07:16 |
| Delivered Date: | 2017/05/11 16:07:18 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Lucas, Sarah (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f49d989825c546fe8ca769bb6901c37b-Lucas, Sara>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Subject: | FW: Statutory Authorities |
| Date: | 2017/05/11 16:17:55 |
| Priority: | Normal |
| Type: | Note |

Hi Sarah,
Here are the refugee authorities for Scott's binder.
AnnaMarie

From: Schmalz, Jennifer (ACF)
Sent: Thursday, May 11, 2017 2:31 PM
To: Bena, Anna Marie (HHS/OGC) (ACF)
Subject: RE: Statutory Authorities

Statutory

The Refugee Act of 1980 (8 U.S.C. 1522)
The Refugee Education Assistance Act of 1980 (Pub. L 96-422)
Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)(C))
Trafficking Victims Protection and Reauthorization Act of 2008 (8 U.S.C. 1232 (d)(4))
8 USC 1157 note
8 USC 1101 note

Regulatory

45 CFR Part 400 and 401
45 CFR Part 402

From: Bena, Anna Marie (HHS/OGC) (ACF)
Sent: Thursday, May 11, 2017 12:39 PM
To: Schmalz, Jennifer (ACF)
Subject: FW: Statutory Authorities

From: Lloyd, Scott (ACF)
Sent: Thursday, May 11, 2017 12:38 PM
To: Bena, Anna Marie (HHS/OGC) (ACF)

Cc: Tota, Kenneth (ACF); Lucas, Sarah (ACF) (CTR); Gregg, Laura (ACF)
Subject: Statutory Authorities

AnnaMarie,

Ken may have reached out to you, but I thought I would send a quick note:

I was hoping that you could provide a list of statutory / regulatory authorities for the refugee side of the house so that Sarah can compile a binder. The UAC binder has been very helpful.

Thank you,
Scott

E. Scott Lloyd
Director
Office of Refugee Resettlement
U.S. Department of Health and Human Services
(202) 401-7269
(202) (b)(6) (cell)
scott.lloyd@acf.hhs.gov

| | |
|------------------------|---|
| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "Lucas, Sarah (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f49d989825c546fe8ca769bb6901c37b-Lucas, Sara>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Sent Date: | 2017/05/11 16:17:50 |
| Delivered Date: | 2017/05/11 16:17:55 |

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| From: | Kelly Duguay <kduguay@bcfs.net> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | California Continuum of Care Reforms |
| Date: | 2017/05/16 14:41:57 |
| Priority: | Normal |
| Type: | Note |

Dear Guests,

Thank you for visiting our program today. As promised, I have attached a copy of the legislative report highlighting California child welfare reforms recommended under Assembly Bill 403. Despite these changes, State Licensing has affirmed BCFS will retain license as a Group Home. However, we can also apply to operate a Short Term Residential Treatment Program (STRTP) should the opportunity present itself. A program of this type would certainly meet a need for the network at large.

Respectfully,

Kelly

P.S. I have also attached a copy of the Interim Standards specific to the operation of a STRTP.

Kelly Duguay Associate Executive Director
BCFS Health and Human Services
Residential Services Division
 2301 Pennsylvania Avenue | Fairfield, CA 94533
 office (707) 422-8802 | fax (707) 422-8821
 direct (707) 422-8802 Extension 3752 | cell (707) (b)(6)
 corporate website www.BCFS.net | program website www.DiscoverBCFS.net

Arizona • California • Colorado • Florida • Illinois • New York • Ohio • Oregon • Tennessee • Texas • Washington, D.C.
 Africa • Eastern Europe • Latin America • Southeast Asia

| | |
|------------------------|---|
| Sender: | Kelly Duguay <kduguay@bcfs.net> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Sent Date: | 2017/05/16 14:40:44 |
| Delivered Date: | 2017/05/16 14:41:57 |

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| From: | Bartholomew, Michael (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BARTHOLOMEW, MICHAEL> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>"; "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>" |
| Subject: | Pregnancy Notifications |
| Date: | 2017/05/19 22:57:33 |
| Priority: | Normal |
| Type: | Note |

Mr. Lloyd,

Below is the requested information regarding pregnancy notifications. The date range is from May 12-19, 2017.

- 16 yo UAC, admitted on May 18, 2017 to SWK Hacienda del Sol was screen positive for pregnancy during the initial medical exam. Child report pregnancy was a result of consensual sexual relations. DHUC was informed via standard reporting procedures. The child was referred to OB/GYN services and was evaluated on 5/19 and determined to be 13 weeks gestation via ultrasound. The UAC made no statement or allegation of sexual abuse or assault. There is no medical concern related to this pregnancy identified at this time. The portal does not indicate any request related to information regarding pregnancy termination.
- 16 yo UAC, admitted on May 16, 2017, to BCFS San Antonio TFC in San Antonio TX, was reported to be 7-8 months pregnant. Child reported the pregnancy was a result of consensual sexual relations however to a 24 yo male in COO. FOC was reported by UAC to be aggressive and having a short temper. DHUC was informed via Intake notification on May 17. The child was referred to OB/GYN services and is continuing routine prenatal care. Minor does have a mental health history. UAC reported that at mother and uncle made her consume an herbal remedy to abort the pregnancy. UAC reported intermittent prenatal care in COO but was taking prenatal vitamins. OB evaluation is pending at this time. The portal does not indicate any request related to information regarding pregnancy termination.
- 16 yo UAC, admitted on May 16, 2017 to Youth for Tomorrow in Bristow, VA, reported to be 2 months pregnant. Child reported the pregnancy was a result of consensual sexual relations however to a 20 yo male in COO. DHUC was informed via Intake notification on May 16, 2017. DHUC is following up with the program to determine the current clinical plan for the UAC. The portal does not indicate any request related to information regarding pregnancy termination.

- 16 yo UAC, admitted on May 12, 2017 to SWK Lemon Grove was screen positive for pregnancy during the initial medical exam (5/15) despite child reporting sexual activity. Child's pregnancy was confirmed via serum pregnancy test on 5/16. Child eventually reported the pregnancy was a result of consensual sexual relations. DHUC was informed via standard reporting procedures. The child was referred to OB/GYN services and was evaluated on 5/19 and determined to be 10 weeks gestation via hCG levels. An ultrasound is scheduled for 5/23 and a follow-up evaluation by OBGYN on 6/16. The UAC made no statement or allegation of sexual abuse or assault. There is no medical concern related to this pregnancy identified at this time. The portal does not indicate any request related to information regarding pregnancy termination.

UPDATE on Prior Pregnancy Notifications:

- 15 yo UAC, admitted on May 13, 2017 to Crittenton Shelter in Fullerton, CA was reported to be 34 weeks gestation. Child reported the pregnancy was a result of consensual sexual relations however to a 22 yo male in COO. FOC was reported by UAC to be physically abusive and threatened UAC and unborn child. DHUC was informed via Intake notification on May 12. The child was referred to OB/GYN services and is continuing routine prenatal care. There is no medical concern related to this pregnancy identified at this time.
- 15 yo UAC, admitted on May 4, 2017 to Heartland International Childrens Center in Chicago, IL, was reported to be 6 months pregnant. Child reported the pregnancy was a result of a consensual sexual relationship to a 17 yo male in COO. UAC reported living with FOC for the past 2 years and that both sets of parents are aware of the pregnancy. Report indicates both UAC and FOC were planning a family for the past year. Child received OB/GYN services in COO approximately 1 month prior. UAC was referred to OB services and is continuing routine prenatal care. There is no medical concern related to this pregnancy identified at this time. The portal does not indicate any request related to information regarding pregnancy termination.
- Previously reported (May 12) 16 yo UAC at SKW Casa Franklin was reported to have continuous cramping and was transported to the local ED for evaluation on May 17. Patient was discharged and followed up with OB services. Patient had an ultrasound indicating the pregnancy to be at 5 week gestation and reported have unknown viability (per SIR). Physician recommended the importance that minor be checking to see if she noticed any spotting and if so to return to the ER as soon as possible. UAC will continue with prenatal vitamins and Tylenol as needed, if minor has vaginal bleeding or severe pelvic pain she will need to return to the ER, she is not allowed to do sports.

Michael L. Bartholomew, M.D., FAAP
 CDR, U.S. Public Health Service
 Director, Division of Health for Unaccompanied Children (DHUC)
 Unaccompanied Children Programs
 Office of Refugee Resettlement
 Administration for Children and Families
 U.S. Department of Health and Human Services
 Mary E. Switzer Building

330 C St SW, MS 5123
Washington, DC 20201
Phone: 202-401-5375
michael.bartholomew@acf.hhs.gov
www.acf.hhs.gov

| | |
|------------------------|---|
| Sender: | Bartholomew, Michael (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BARTHOLOMEW, MICHAEL> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>"; "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>" |
| Sent Date: | 2017/05/19 22:57:32 |
| Delivered Date: | 2017/05/19 22:57:33 |

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| From: | Simmons, Joann (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C1EC3C59ABE64BE9B2B46FF1732382D3-SIMMONS, JO> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "Brown, Anastasia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=504943f4a32143f9b007879481c72fc6-Brown, Anas>"; "Rubenstein, Carl (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a64c789c3c0449a9a851fe68e73bdca0-Rubenstein,>"; "Kim, Curi (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ff860dcb9fb64cd799d9a98fcc0ff8cf-Kim, Curi_3>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Holt, Lydia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=679190009c0f4ad2b219f787dcca6a98-Holt, Lydia>" |
| CC: | "Hall, Wanda (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ad5ff18c3a7944299a4379d87ef67f14-Hall, Wanda>"; "Miller, Lora (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555f41536ef24e6b833a52294d5c8830-Miller, Lor>"; "Mai, Dinh (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0960f30be7814afbb0dcb25111e24088-Mai, Dinh>"; "Kramar, Iulia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5b39c31f5fec4cb3a46869fa88c0257c-Kramar, Iul>"; "Papanicolas, Koula (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e242a880ead5463fa3b8251f0e9e1837-Papanicolas>"; "Ali, Khalil (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=83af74ee315b4b958d27c174be3c95b1-Ali, Khalil>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Robinson, Trina (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af3f960a6c3e4233879991b2a7ac71d3-Robinson, T>"; "Davis, Gregory (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=47b15d866d8040ed839cdfd5c2b7cb89-Davis, Greg>" |
| Subject: | FY 2018 President's Budget with New Proposed Appropriations Language specific to the UAC program |
| Date: | 2017/05/25 08:13:31 |
| Priority: | Normal |
| Type: | Note |

All,

Attached please find a copy of the FY 2018 President's Budget Request. If you have any questions about the Refugee and Entrant Assistance Chapter, please let me know. Our chapter begins on page 171 of the document.

I would like to point out that the proposed Appropriation Language for our account includes new language for the UAC program:

(b)(5)

Joann Simmons
Director
Division of Budget and Data Analysis
Office of Refugee Resettlement
Administration for Children and Families
Department of Health and Human Services
(202) 401-5409

| | |
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| Sender: | Simmons, Joann (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C1EC3C59ABE64BE9B2B46FF1732382D3-SIMMONS, JO> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; |

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|------------------------|---|
| | <p>"Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbec78b5491faa5c79e1c569e43e-Sualog, Jal>";</p> <p>"Brown, Anastasia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=504943f4a32143f9b007879481c72fc6-Brown, Anas>";</p> <p>"Rubenstein, Carl (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a64c789c3c0449a9a851fe68e73bdca0-Rubenstein,>";</p> <p>"Kim, Curi (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ff860dcb9fb64cd799d9a98fcc0ff8cf-Kim, Curi_3>";</p> <p>"Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>";</p> <p>"Holt, Lydia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=679190009c0f4ad2b219f787dcca6a98-Holt, Lydia>";</p> <p>"Hall, Wanda (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ad5ff18c3a7944299a4379d87ef67f14-Hall, Wanda>";</p> <p>"Miller, Lora (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555f41536ef24e6b833a52294d5c8830-Miller, Lor>";</p> <p>"Mai, Dinh (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0960f30be7814afbb0dcb25111e24088-Mai, Dinh>";</p> <p>"Kramar, Iulia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5b39c31f5fec4cb3a46869fa88c0257c-Kramar, Iul>";</p> <p>"Papanicolas, Koula (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e242a880ead5463fa3b8251f0e9e1837-Papanicolas>";</p> <p>"Ali, Khalil (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=83af74ee315b4b958d27c174be3c95b1-Ali, Khalil>";</p> <p>"Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>";</p> <p>"Robinson, Trina (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af3f960a6c3e4233879991b2a7ac71d3-Robinson, T>";</p> <p>"Davis, Gregory (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=47b15d866d8040ed839cdfd5c2b7cb89-Davis, Greg>"</p> |
| Sent Date: | 2017/05/25 08:13:20 |
| Delivered Date: | 2017/05/25 08:13:31 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>" |
| Subject: | Weekly Litigation Update |
| Date: | 2017/05/25 13:27:05 |
| Priority: | Normal |
| Type: | Note |

I have attached the weekly litigation update.

In UAC litigation, Scott Lloyd replaced Ken Tota as a party in *OGLS* on 5/25.
(Congratulations Ken. Sorry Scott.)

In refugee litigation, we had no substantive updates.

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>" |
| Sent Date: | 2017/05/25 13:27:02 |
| Delivered Date: | 2017/05/25 13:27:05 |

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| From: | Bartholomew, Michael (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BARTHOLOMEW, MICHAEL> |
| To: | "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | RE: Pregnancy Notification May 20-26, 2017 |
| Date: | 2017/05/26 12:12:23 |
| Priority: | Normal |
| Type: | Note |

Hi Scott and Jonathan,

(b)(5)

Michael

Michael L. Bartholomew, M.D., FAAP
 CDR, U.S. Public Health Service
 Director, Division of Health for Unaccompanied Children (DHUC)
 Unaccompanied Children Programs
 Office of Refugee Resettlement
 Administration for Children and Families
 U.S. Department of Health and Human Services
 Mary E. Switzer Building
 330 C St SW, MS 5123
 Washington, DC 20201
 Phone: 202-401-5375
michael.bartholomew@acf.hhs.gov
www.acf.hhs.gov

From: White, Jonathan (ACF)
Sent: Friday, May 26, 2017 11:59 AM
To: Lloyd, Scott (ACF); Bartholomew, Michael (ACF)
Cc: Misegades, Lara (ACF); Gregg, Laura (ACF)
Subject: RE: Pregnancy Notification May 20-26, 2017

Scott,

(b)(5)

Jonathan

From: Lloyd, Scott (ACF)

Sent: Friday, May 26, 2017 11:11 AM

To: Bartholomew, Michael (ACF)

Cc: White, Jonathan (ACF); Misegades, Lara (ACF); Gregg, Laura (ACF)

Subject: RE: Pregnancy Notification May 20-26, 2017

Thank you, Michael.

(b)(5)

(b)(5)

Scott

From: Bartholomew, Michael (ACF)
Sent: Friday, May 26, 2017 10:41 AM
To: Lloyd, Scott (ACF)
Cc: White, Jonathan (ACF); Misegades, Lara (ACF)
Subject: Pregnancy Notification May 20-26, 2017

Mr. Lloyd,

Below is the requested information regarding pregnancy notifications. The date range is from May 20-26, 2017.

16 yo UAC, admitted on May 22, 2017 to SWK Casa Phoenix was screen positive for pregnancy during the initial medical exam. Child report pregnancy was a result of consensual sexual relations with a 19 yo male in COO. UAC reported that she was approximately 24 weeks pregnant. DHUC was informed via standard reporting procedures. The child is being referred to OB/GYN services and was started on prenatal vitamins. The UAC made no statement or allegation of sexual abuse or assault. There is no medical concern related to this pregnancy identified at this time. The portal does not indicate any request related to information regarding pregnancy termination.

UPDATE on Prior Pregnancy Notifications:

16 yo UAC, admitted on May 16, 2017 to Youth for Tomorrow in Bristow, VA, reported to be 2 months pregnant. Child reported the pregnancy was a result of consensual sexual relations however to a 20 yo male in COO. DHUC was informed via Intake notification on May 16, 2017. DHUC is following up with the program to determine the current clinical plan for the UAC. The portal does not indicate any request related to information regarding pregnancy termination. UPDATE: UAC evaluated by OB Services and determined via US to be ~10 weeks pregnant. The child is continuing routine prenatal care. There is no medical concern related to this pregnancy identified at this time.

Michael L. Bartholomew, M.D., FAAP
CDR, U.S. Public Health Service
Director, Division of Health for Unaccompanied Children (DHUC)
Unaccompanied Children Programs

Office of Refugee Resettlement
Administration for Children and Families
U.S. Department of Health and Human Services
Mary E. Switzer Building
330 C St SW, MS 5123
Washington, DC 20201
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michael.bartholomew@acf.hhs.gov
www.acf.hhs.gov

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| Sender: | Bartholomew, Michael (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BARTHOLOMEW, MICHAEL> |
| Recipient: | "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Sent Date: | 2017/05/26 12:12:23 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>" |
| Subject: | Weekly Litigation Update |
| Date: | 2017/06/01 14:25:34 |
| Priority: | Normal |
| Type: | Note |

I have attached the weekly litigation update.

UAC litigation. In *ACLU v Price* (family planning litigation), the court granted a stipulated revised case management calendar (Discovery completion date is now 10/9/17). In *OGLS*, there was some procedural activity (sealing an exhibit, motion to substitute attorney by government). In *City of Escondido*, the parties agreed to settle, and SWK filed a Notice of Settlement on 5/31.

Refugee litigation. In the Indiana case, the status conference originally set for 6/14, was reset for 7/12.

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>" |
| Sent Date: | 2017/06/01 14:25:30 |
| Delivered Date: | 2017/06/01 14:25:34 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>" |
| Subject: | Weekly Litigation Update |
| Date: | 2017/06/08 16:04:11 |
| Priority: | Normal |
| Type: | Note |

I have attached the weekly litigation update.

UAC litigation. In *OGLS*, the court granted *habeas* on 6/1, and ORR released the youth to his mother. In *City of Escondido*, on 6/1 the court issued an Order confirming the 5/31 settlement agreement.

Refugee litigation. In *Alabama*, Governor Ivey has dropped the appeal of the state's previously dismissed suit. In *Tennessee*, on 6/1, all federal defendants filed Motions to Dismiss (for lack of jurisdiction and for failure to state a claim).

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>" |
| Sent Date: | 2017/06/08 16:04:08 |
| Delivered Date: | 2017/06/08 16:04:11 |

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| From: | Grants Monitoring <noreply@eoffice.acf.hhs.gov> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Subject: | Tasks - MON_DRS ECDC Phoenix, AZ_FY17 |
| Date: | 2017/06/09 09:45:50 |
| Priority: | Normal |
| Type: | Note.Microsoft.Workflow |

Task assigned by Siraj, Tabassum (ACF) on 6/9/2017.

(b)(5)

To complete this task:

1. Review MON_DRS ECDC Phoenix, AZ_FY17.
2. Perform the specific activities required for this task.
3. Use the **Open this task** button to mark the task as completed. (If you cannot update this task, you might not have access to it.)

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| Sender: | Grants Monitoring <noreply@eoffice.acf.hhs.gov> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Sent Date: | 2017/06/09 09:44:30 |

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| Delivered Date: | 2017/06/09 09:45:50 |
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| From: | Sohn, Elizabeth (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BA73D1E5E278471AAAA87BCF8B138D40-SOHN, ELIZA> |
| To: | "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Logan, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2bc961246b7541868da7a5e9d4367c47-Logan, Scot>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | RE: Final ORR Draft of Q&A |
| Date: | 2017/06/16 13:30:40 |
| Priority: | Normal |
| Type: | Note |

By the way, ASL said that this Q&A set looked really great, and I wanted to make sure I passed on their accolades. Thanks for putting these together.

Elizabeth

From: Sohn, Elizabeth (ACF)
Sent: Friday, June 16, 2017 1:18 PM
To: Bena, Anna Marie (HHS/OGC) (ACF); White, Jonathan (ACF); Logan, Scott (ACF); Lloyd, Scott (ACF)
Cc: Gregg, Laura (ACF)
Subject: RE: Final ORR Draft of Q&A

Thank you, and I hope you feel better!

I noticed Toby and Laura are out. If we have any urgent requests/questions today, I'll make sure to include Jonathan. Hopefully it will be a quiet afternoon...knock on wood.

Thanks again,
Elizabeth

From: Bena, Anna Marie (HHS/OGC) (ACF)
Sent: Friday, June 16, 2017 1:11 PM
To: White, Jonathan (ACF); Logan, Scott (ACF); Lloyd, Scott (ACF); Sohn, Elizabeth (ACF)
Cc: Gregg, Laura (ACF)
Subject: RE: Final ORR Draft of Q&A

Here is the revised final draft with additions/changes based on the OLAB comments. (All – I have had a terrible headache all day. I'm going to sign off for a bit and see if I can shake it.)

From: White, Jonathan (ACF)
Sent: Friday, June 16, 2017 11:50 AM
To: Bena, Anna Marie (HHS/OGC) (ACF); Logan, Scott (ACF); Lloyd, Scott (ACF); Sohn, Elizabeth (ACF)
Cc: Gregg, Laura (ACF)
Subject: RE: Final ORR Draft of Q&A

Anna Marie,

Consulted with the medical team, and I would recommend as the QA bullet, based on the question posed about the three probable or confirmed Zika cases, would be:

•

(b)(5)

Jonathan

From: Bena, Anna Marie (HHS/OGC) (ACF)
Sent: Friday, June 16, 2017 7:55 AM
To: Logan, Scott (ACF); Lloyd, Scott (ACF); Sohn, Elizabeth (ACF)
Cc: White, Jonathan (ACF); Gregg, Laura (ACF)
Subject: RE: Final ORR Draft of Q&A

Thanks, Scott! Jonathan (b)(5) I'll take care of the other three.

From: Logan, Scott (ACF)
Sent: Thursday, June 15, 2017 10:54 PM
To: Bena, Anna Marie (HHS/OGC) (ACF); Lloyd, Scott (ACF); Sohn, Elizabeth (ACF)
Cc: White, Jonathan (ACF); Gregg, Laura (ACF)
Subject: RE: Final ORR Draft of Q&A

I've seen a lot of Q&A docs for our UAC hearings and I think this is the best set and really hits the right points/right level of detail! I just had 4 Qs/suggestions in the attached.

I don't know who pulled this together but great job!

Scott Logan
Director
Division of Legislative and Regulatory Affairs
Office of Legislative Affairs and Budget
Administration for Children and Families
U.S. Department of Health and Human Services
330 C ST, SW Suite 5020D
Washington, D.C. 20201
202.401.4529

From: Bena, Anna Marie (HHS/OGC) (ACF)
Sent: Thursday, June 15, 2017 4:05 PM
To: Logan, Scott (ACF); Lloyd, Scott (ACF); Sohn, Elizabeth (ACF)
Cc: White, Jonathan (ACF); Gregg, Laura (ACF)
Subject: Final ORR Draft of Q&A

I have attached the final ORR draft of the Q&A for the June 21 Senate Judiciary hearing.

| | |
|------------------------|---|
| Sender: | Sohn, Elizabeth (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BA73D1E5E278471AAAAB7BCF8B138D40-SOHN, ELIZA> |
| Recipient: | "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Logan, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2bc961246b7541868da7a5e9d4367c47-Logan, Scot>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Sent Date: | 2017/06/16 13:30:39 |
| Delivered Date: | 2017/06/16 13:30:40 |
| Message Flags: | Unread |

| | |
|------------------|--|
| From: | Russell, Elizabeth (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=916D756F38964634BBA542D79F1E1E30-RUSSELL, EL> |
| To: | "Leinberger, Thomas (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userb33a0da3>" |
| CC: | "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Vineyard, Michael (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userdcac6abd>"; "Fontenot, Rebecca (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e703af9f80c546b893e80ea992a7f1fb-Fontenot, R>"; "Lamana, Joseph (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userdc0ca36a>" |
| Subject: | RE: AIR Work Group meeting June 26 |
| Date: | 2017/06/19 10:15:28 |
| Priority: | Normal |
| Type: | Note |

Good morning Tom,
See our preliminary comments to the NERP Base Plan. I saved the information in the ASPR/AIR WG portal.
v/r,
Elizabeth

From: Leinberger, Thomas (OS/ASPR/OEM)
Sent: Thursday, June 15, 2017 3:11 PM
To: Russell, Elizabeth (ACF); Peerbolte, Stacy (OS/ASPR/OEM); Mackay, Thomas (OS/ASPR/OEM); Nurthen, Nancy (OS/ASPR/OEM); Trombley, Dean (OS/ASPR); Hadzibegovic, Diana (OS/ASPR/OEM); Horahan, Kevin (OS/ASPR/OEM); Harvey, Melissa (OS/ASPR/OEM); Yue, David (OS/ASPR/OEM); Speth, Sarah (OS/ASPR/OEM); AvilesMendoza, Guillermo (OS/ASPR/OEM)
Cc: Lamana, Joseph (OS/ASPR/OEM); Kuhn-McClain, Tonya (HHS/ASPR/OEM); Vineyard, Michael (OS/ASPR/OEM); Fontenot, Rebecca (OS/ASPR/OEM); Hannah, Jennifer (OS/ASPR/OEM); Buckser, Jeffrey (OS/ASPR/OEM)
Subject: AIR Work Group meeting June 26
Importance: High

AIR Work Group members,

Thank you for your participation at the OEM Directors' meeting on June 14. Elizabeth present a prioritized list to get us toward completed State Emergency Repatriation Plans (SERP). The first item on that list is making sure the National Emergency Repatriation Plan (NERP) is accurate. The below link takes you to the AIR Work Group site where I have posted an interim NERP.

[https://asprwg.hhs.gov/aspr/air/_layouts/15/WopiFrame.aspx?sourcedoc=/aspr/air/DocLib1/2017%20NERP%20Base%20Plan%20-%20FINAL%20INTERIM%20DRAFT%20\(For%20AIR%20WG%20Review\)\(170615\).](https://asprwg.hhs.gov/aspr/air/_layouts/15/WopiFrame.aspx?sourcedoc=/aspr/air/DocLib1/2017%20NERP%20Base%20Plan%20-%20FINAL%20INTERIM%20DRAFT%20(For%20AIR%20WG%20Review)(170615).)

[docx&action=default&Source=https%3A%2F%2Fasprwg%2Ehhs%2Egov%2Faspr%2Fair%2FDocLib1%2FForms%2FAllItems%2Easpx&DefaultItemOpen=1&DefaultItemOpen=1](https://www.fasprwg.gov/faspr/fair%2FDocLib1%2FForms%2FAllItems%2Easpx&DefaultItemOpen=1&DefaultItemOpen=1)

Please read/review and be prepared to discuss any issues and/or solutions at the next AIR Work Group meeting scheduled for June 26th at 11 AM.

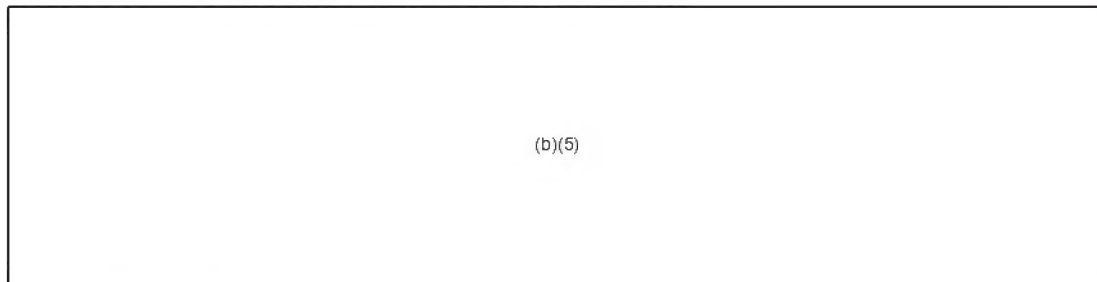
Thank you,
Thomas A. Leinberger, MA, MHA
Director, Division of Planning
Office of Emergency Management
Office of the Assistant Secretary for Preparedness and Response
Office of the Secretary
Department of Health and Human Services
Office: 202-401-2267
Email: thomas.leinberger@hhs.gov

| | |
|------------------------|--|
| Sender: | Russell, Elizabeth (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=916D756F38964634BBA542D79F1E1E30-RUSSELL, EL> |
| Recipient: | "Leinberger, Thomas (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userb33a0da3>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Vineyard, Michael (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userdcac6abd>"; "Fontenot, Rebecca (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e703af9f80c546b893e80ea992a7f1fb-Fontenot, R>"; "Lamana, Joseph (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userdc0ca36a>" |
| Sent Date: | 2017/06/19 10:15:24 |
| Delivered Date: | 2017/06/19 10:15:28 |

| | |
|------------------|---|
| From: | Suh, Victor (HHS/OGC) (ACF) (CTR) </o=EXCHANGELABS/ou=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D405522C35EF4B90A7C40BA649BD9D82-SUH, GA-YOO> |
| To: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Blake, Sebrina (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f08520f6ab1040f18002cf351dd3176d-Blake, Sebr>" |
| CC: | "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>" |
| Subject: | RE: Email Search and instructions |
| Date: | 2017/06/19 12:43:52 |
| Priority: | Normal |
| Type: | Note |

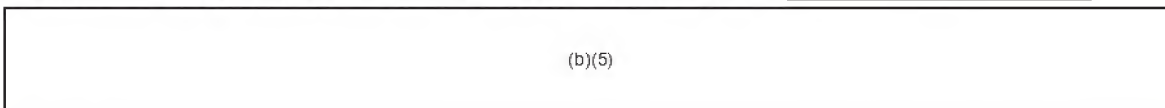
Hi Laura,

Please see attached email search terms from OGC. OGC notes:



My understanding is that, based on feedback about these terms,

(b)(5)



Thanks,
Victor

From: Gregg, Laura (ACF)

Sent: Friday, June 09, 2017 1:36 PM

To: Blake, Sebrina (ACF)

Cc: Bena, Anna Marie (HHS/OGC) (ACF); Lloyd, Scott (ACF); White, Jonathan (ACF); Suh, Victor (HHS/OGC) (ACF) (CTR)

Subject: Re: Email Search and instructions

Victor- see below. Can you advise re:

(b)(5)

On: 09 June 2017 12:42, "Blake, Sebrina (ACF)" <Sebrina.Blake@acf.hhs.gov> wrote:
Laura,

(b)(5)

From: Gregg, Laura (ACF)
Sent: Friday, June 09, 2017 10:30 AM
To: Blake, Sebrina (ACF)
Cc: Bena, Anna Marie (HHS/OGC) (ACF); Lloyd, Scott (ACF); White, Jonathan (ACF)
Subject: RE: Email Search and instructions

Hi Sebrina,

(b)(5)

Kindly,
Laura Gregg
Special Assistant
Office of the Director

From: Gregg, Laura (ACF)
Sent: Monday, June 05, 2017 1:37 PM
To: Blake, Sebrina (ACF)
Cc: Bena, Anna Marie (HHS/OGC) (ACF); Lloyd, Scott (ACF); White, Jonathan (ACF)
Subject: Email Search and instructions

Hi Sebrina,

(b)(5)

Please let me know if you need additional information.

Kindly,
Laura Gregg
Special Assistant
Office of the Director

| | |
|-------------------|--|
| Sender: | Suh, Victor (HHS/OGC) (ACF) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D405522C35EF4B90A7C40BA649BD9D82-SUH, GA-YOO> |
| Recipient: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group |

| | |
|------------------------|--|
| | (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Blake, Sebrina (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f08520f6ab1040f18002cf351dd3176d-Blake, Sebr>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>" |
| Sent Date: | 2017/06/19 12:43:51 |
| Delivered Date: | 2017/06/19 12:43:52 |

| | |
|------------------|---|
| From: | Gregg, Laura (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2E7FF3F1D0BA483990C0F80827410056-GREGG, LAUR> |
| To: | "Lucas, Sarah (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f49d989825c546fe8ca769bb6901c37b-Lucas, Sara>" |
| CC: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Subject: | FW: Sen. Judiciary Question |
| Date: | 2017/06/20 15:13:20 |
| Priority: | Normal |
| Type: | Note |

Sarah,

Please print for Scott's hearing binder.

Thanks,
Laura

From: Bena, Anna Marie (HHS/OGC) (ACF)
Sent: Tuesday, June 20, 2017 1:30 PM
To: Lloyd, Scott (ACF); White, Jonathan (ACF)
Cc: Gregg, Laura (ACF)
Subject: FW: Sen. Judiciary Question

I added these numbers at the end of the post-release section in case it comes up tomorrow.

From: Gregg, Laura (ACF)
Sent: Tuesday, June 20, 2017 11:40 AM
To: Sohn, Elizabeth (ACF)
Cc: Bena, Anna Marie (HHS/OGC) (ACF); White, Jonathan (ACF); Logan, Scott (ACF)
Subject: FW: Sen. Judiciary Question

Hi Elizabeth,

(b)(5)

Thanks,
Laura

From: Sohn, Elizabeth (ACF)
Sent: Monday, June 19, 2017 3:09 PM
To: Bena, Anna Marie (HHS/OGC) (ACF); Gregg, Laura (ACF)

Cc: Logan, Scott (ACF)
Subject: Sen. Judiciary Question

Hi AnnaMarie and Laura,

(b)(5)

Thanks,
Elizabeth

Elizabeth Sohn
Legislative Analyst
Office of Legislative Affairs and Budget
Administration for Children and Families
(202) 260-6829
Elizabeth.Sohn@acf.hhs.gov

| | |
|------------------------|--|
| Sender: | Gregg, Laura (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2E7FF3F1D0BA483990C0F80827410056-GREGG, LAUR> |
| Recipient: | "Lucas, Sarah (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f49d989825c546fe8ca769bb6901c37b-Lucas, Sara>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Sent Date: | 2017/06/20 15:13:19 |
| Delivered Date: | 2017/06/20 15:13:20 |

| | |
|--------------------|--|
| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>" |
| CC: | "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Suh, Victor (HHS/OGC) (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d405522c35ef4b90a7c40ba649bd9d82-Suh, Ga-Yoo>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>" |
| Subject: | AH Case Response Due Tuesday |
| Date: | 2017/06/26 09:02:01 |
| Importance: | High |
| Priority: | Urgent |
| Type: | Note |

(b)(5)

From: Fuma, Julia (HHS/OGC)

Sent: Sunday, June 25, 2017 9:01 PM

To: Fabian, Sarah B (CIV); Bena, Anna Marie (HHS/OGC) (ACF); Biswas, Toby R M (ACF); Haron, Judith (HHS/OGC)

Cc: Andrapalliyal, Vinita B. (CIV)

(b)(5)

Julia Fuma
Attorney
Office of the General Counsel
Children, Families and Aging Division
U.S. Dep't of Health & Human Services
202-690-7791
Julia.fuma@hhs.gov

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From: Fabian, Sarah B (CIV) [<mailto:Sarah.B.Fabian@usdoj.gov>]

Sent: Sunday, June 25, 2017 12:35 AM

To: Fuma, Julia (HHS/OGC); Bena, Anna Marie (HHS/OGC) (ACF); Biswas, Toby R M (ACF); Haron, Judith (HHS/OGC)

Cc: Andrapalliyal, Vinita B. (CIV)

Subject: RE: Copy of the Petition for Writ of Habeas Corpus and Complaint for Injunctive and Declaratory Relief

All:

(b)(5)

Thanks!

Sarah B. Fabian
Senior Litigation Counsel
Office of Immigration Litigation – District Court Section
(202) 532-4824

From: Fabian, Sarah B (CIV)

Sent: Friday, June 23, 2017 9:07 PM

To: 'Fuma, Julia (HHS/OGC)' <Julia.Fuma@hhs.gov>; Bena, Anna Marie (HHS/OGC) (ACF) <Annamarie.Bena@HHS.GOV>; Biswas, Toby R M (ACF) <Toby.Biswas@ACF.hhs.gov>

Cc: Andrapalliyal, Vinita B. (CIV) <vandrapa@CIV.USDOJ.GOV>

Subject: RE: Copy of the Petition for Writ of Habeas Corpus and Complaint for Injunctive and Declaratory Relief

(b)(5)

Sarah B. Fabian
Senior Litigation Counsel
Office of Immigration Litigation – District Court Section
(202) 532-4824

From: Fuma, Julia (HHS/OGC) [mailto:Julia.Fuma@hhs.gov]

Sent: Friday, June 23, 2017 9:05 AM

To: Fabian, Sarah B (CIV) <sfabian@CIV.USDOJ.GOV>; Bena, Anna Marie (HHS/OGC) (ACF) <Annamarie.Bena@HHS.GOV>; Biswas, Toby R M (ACF) <Toby.Biswas@ACF.hhs.gov>

Subject: RE: Copy of the Petition for Writ of Habeas Corpus and Complaint for Injunctive and Declaratory Relief

Thanks. I will give you a call as soon as I get the case file.

From: Fabian, Sarah B (CIV) [mailto:Sarah.B.Fabian@usdoj.gov]

Sent: Friday, June 23, 2017 9:02 AM

To: Fuma, Julia (HHS/OGC); Bena, Anna Marie (HHS/OGC) (ACF); Biswas, Toby R M (ACF)

Subject: FW: Copy of the Petition for Writ of Habeas Corpus and Complaint for Injunctive and Declaratory Relief

FYI

Sarah B. Fabian
Senior Litigation Counsel
Office of Immigration Litigation – District Court Section
(202) 532-4824

From: Norris, Raven (USACAN) [mailto:Raven.Norris@usdoj.gov]

Sent: Friday, June 23, 2017 1:39 AM

To: Fabian, Sarah B (CIV) <sfabian@CIV.USDOJ.GOV>

Subject: Fwd: Copy of the Petition for Writ of Habeas Corpus and Complaint for Injunctive and Declaratory Relief

Here it is. [REDACTED] (b)(5)

Sent from my iPhone

Begin forwarded message:

From: "Cecilia Bermudez" <cbermudez@aclunc.org>

To: "james.delacruz@acf.hhs.gov" <james.delacruz@acf.hhs.gov>, "elicia.smith@acf.hhs.gov" <elicia.smith@acf.hhs.gov>, "Norris, Raven (USACAN)" <rnorris@usa.doj.gov>, "Winslow, Sara (USACAN)" <SWinslow@usa.doj.gov>, "[REDACTED] (b)(6)@yolocounty.org" <[REDACTED] (b)(6)@yolocounty.org>

Cc: "[REDACTED] (b)(6)@aclunc.org", "[REDACTED] (b)(6)@aclunc.org"

Subject: Copy of the Petition for Writ of Habeas Corpus and Complaint for Injunctive and Declaratory Relief

Dear All,

Enclosed please find a copy of today's filings. We expect to file the Application for Temporary Restraining Order tomorrow and we will provide a copy before filing. Thank you!

Best,
 Cecilia Bermúdez
 Pronouns: She/Her/Hers
Intake Program Manager & Litigation Assistant
 ACLU of Northern California
 39 Drumm St., San Francisco, CA 94111
 (415) 621-2493 x 329 | cbermudez@aclunc.org

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 For more information please visit <http://www.mimecast.com>

| | |
|------------------------|---|
| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Suh, Victor (HHS/OGC) (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d405522c35ef4b90a7c40ba649bd9d82-Suh, Ga-Yoo>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>" |
| Sent Date: | 2017/06/26 09:01:59 |
| Delivered Date: | 2017/06/26 09:02:01 |

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| From: | Bartholomew, Michael (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BARTHOLOMEW, MICHAEL> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>"; "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>" |
| Subject: | TOP Request |
| Date: | 2017/07/05 13:14:39 |
| Priority: | Normal |
| Type: | Note |

Mr. Lloyd,

DHUC was notified of this UAC over the past few days. However, today, I received a call from Dr. (b)(6) indicating that one of the SWK programs has a UAC that will be making a formal request for Termination of Pregnancy (TOP). (b)(6) was looking for guidance to give to the program.

16 yo UAC (b)(6) admitted on June 30, 2017 to SWK Sol was identified by ICE to be pregnant. UAC reports her pregnancy to be ~8 weeks. IME confirms pregnancy with positive urine pregnancy test. Child reported the pregnancy was a result of consensual sexual relations with a 16 yo male in COO. DHUC was informed of the pregnancy via standard reporting procedures. The child is being referred to OB/GYN services. The UAC made no statement that the pregnancy is a result of sexual abuse or assault. The portal (IME) does indicate the child has had thoughts about not wanting to keep the pregnancy however there is no current documentation/information requesting pregnancy termination until today.

The program is attempting to have the current OB appointment moved up from July 12. Since the program is in the Phoenix area, the SWK program is setting up a spiritual counseling session and a family session for the UAC (similar to what was done with previous TOP requests). (b)(6) did mention the clinicians are looking for input on what information they can provide to the UAC.

Please advise if there is anything further you would like the program to do?

Michael L. Bartholomew, M.D., FAAP
CDR, U.S. Public Health Service
Director, Division of Health for Unaccompanied Children (DHUC)
Unaccompanied Children Programs

Office of Refugee Resettlement
Administration for Children and Families
U.S. Department of Health and Human Services
Mary E. Switzer Building
330 C St SW, MS 5123
Washington, DC 20201
Phone: 202-401-5375
michael.bartholomew@acf.hhs.gov
www.acf.hhs.gov

| | |
|-------------------|---|
| Sender: | Bartholomew, Michael (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BARTHOLOMEW, MICHAEL> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>"; "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>" |
| Sent Date: | 2017/07/05 13:14:39 |

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| From: | Bartholomew, Michael (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BARTHOLOMEW, MICHAEL> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>" |
| Subject: | RE: Termination of Pregnancy (b)(6) case |
| Date: | 2017/07/05 15:10:45 |
| Priority: | Normal |
| Type: | Note |

Thank you.

I will advise the program.

Michael

Michael L. Bartholomew, M.D., FAAP
 CDR, U.S. Public Health Service
 Director, Division of Health for Unaccompanied Children (DHUC)
 Unaccompanied Children Programs
 Office of Refugee Resettlement
 Administration for Children and Families
 U.S. Department of Health and Human Services
 Mary E. Switzer Building
 330 C St SW, MS 5123
 Washington, DC 20201
 Phone: 202-401-5375
michael.bartholomew@acf.hhs.gov
www.acf.hhs.gov

From: Lloyd, Scott (ACF)
Sent: Wednesday, July 05, 2017 2:47 PM
To: Bartholomew, Michael (ACF)
Cc: White, Jonathan (ACF); Gregg, Laura (ACF); Misegades, Lara (ACF); De LA Cruz, James (ACF)
Subject: RE: Termination of Pregnancy (b)(6) case

Michael,

(b)(5)

(b)(5)

(b)(5)

Let me know if you need clarification on anything.

Thank you,
Scott

From: Bartholomew, Michael (ACF)

Sent: Wednesday, July 05, 2017 2:16 PM

To: Lloyd, Scott (ACF)

Cc: White, Jonathan (ACF); Gregg, Laura (ACF); Misegades, Lara (ACF); De LA Cruz, James (ACF)

Subject: FW: Termination of Pregnancy (b)(6) case

fysa

Michael L. Bartholomew, M.D., FAAP
CDR, U.S. Public Health Service
Director, Division of Health for Unaccompanied Children (DHUC)
Unaccompanied Children Programs
Office of Refugee Resettlement
Administration for Children and Families
U.S. Department of Health and Human Services
Mary E. Switzer Building
330 C St SW, MS 5123
Washington, DC 20201
Phone: 202-401-5375
michael.bartholomew@acf.hhs.gov
www.acf.hhs.gov

From: (b)(6) [mailto:(b)(6)@swkey.org]

Sent: Wednesday, July 05, 2017 1:54 PM

To: Bartholomew, Michael (ACF)

Subject: Termination of Pregnancy (b)(6) case

Hello Michael-

As per our staffing with the program this morning the program will be follow this plan:

1. **Q: Can we confirm that the minor has received options counseling for the pregnancy?**

Please ensure the UC is aware of the option of having spiritual counseling that is sensitive to her religious preference.

If the UC has not had her ultrasound yet, she should do so at the following place:

<http://www.cpcphoenix.org/> SWK staff should set up a session of options counseling there. The OB appointment w/ Dr. (b)(6) is scheduled for 07/07/2017

2. **Q: Can we confirm that the sponsor and the minor's parents have been notified of the pregnancy?**

After the options counseling, if the UC still desires the abortion, and it is still within the window for a legal abortion, the UC must obtain parental consent, which will necessitate options counseling with them, plus signed, notarized declaration of consent. The UC should not be meeting with an attorney regarding her termination or otherwise pursuing judicial bypass at this point.

3. **Q: Can we please ensure that resources for pregnancy supports at the destination where the minor is headed are part of the discharge plan?**

Additional information will be add to the discharge packaged with the contact information and details for local support services. Case Manger Department will update the location and CAT of the sponsor today.

- We will update you as soon any additional information become available.

Thank you,

Fanny

(b)(6) MD., MPH.
Director of Medical Services
Direct: (512) 949-2681
Cell: (512) (b)(6)
(b)(6)@swkey.org

SouthWest Key Programs, National Headquarters. 6002 Jain Lane| Austin, Texas 78721 | Ph: 512.462.2181 x668|
Fax: 512.462.2028 1 Cell 512 (b)(6)

WARNING The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of addressee. Unauthorized use, disclosure or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately at 512/462-2181 and return the original message to the above address via the United States Postal Service. We will reimburse any costs you incur in notifying and returning the message to us.

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|-------------------|--|
| Sender: | Bartholomew, Michael (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BARTHOLOMEW, MICHAEL> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>" |
| Sent Date: | 2017/07/05 15:10:45 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Brown, Anastasia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=504943f4a32143f9b007879481c72fc6-Brown, Anas>"; "Davis, Gregory (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=47b15d866d8040ed839cdf5c2b7cb89-Davis, Greg>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Kim, Curi (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ff860dcb9fb64cd799d9a98fcc0ff8cf-Kim, Curi_3>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>"; "Robinson, Trina (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af3f960a6c3e4233879991b2a7ac71d3-Robinson, T>"; "Rubenstein, Carl (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a64c789c3c0449a9a851fe68e73bdca0-Rubenstein,>"; "Simmons, Joann (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c1ec3c59abe64be9b2b46ff1732382d3-Simmons, Jo>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646bec-Tota, Kenne>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>" |
| Subject: | Litigation Update |
| Date: | 2017/07/06 15:39:48 |
| Priority: | Normal |
| Type: | Note |

I have attached this week's litigation update.

UAC Litigation. In *AH ("Savaria")*, the District Court for the Northern District of California ordered ORR to provide AH an opportunity to be heard regarding his placement in ORR care, including his custody at the Yolo secure facility; the ORR Director will hold a conference call with the child and his attorneys on 7/7. In *Flores*, on 7/5, the 9th Circuit lifted the stay on the district court's order; as a result, ORR must for now implement bond hearings for all UAC in care. In *ACLU v Price* (family planning litigation), internally, ORR is preparing to submit updated responses to the Request for Production, to be current through 6/30. In *Nash* (FOIA litigation regarding the JRP program), a pretrial conference has been set for 1/2/18, and the ACLU filed a proposed scheduling order on 7/5/17.

Refugee Litigation. In the Indiana case, the case was reassigned to a new judge and the court ordered a status conference to take place 7/10/17. In *Oregon*, the court granted in

part the defendant's motion for extension of time to file a response to the plaintiff's motion to dismiss; response is due by 8/1/17.

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=RECIPIENTS/cn=USER73B01E01> |
| Recipient: | "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Brown, Anastasia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=504943f4a32143f9b007879481c72fc6-Brown, Anas>"; "Davis, Gregory (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=47b15d866d8040ed839cdf5c2b7cb89-Davis, Greg>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Kim, Curi (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ff860dcb9fb64cd799d9a98fcc0ff8cf-Kim, Curi_3>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>"; "Robinson, Trina (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af3f960a6c3e4233879991b2a7ac71d3-Robinson, T>"; "Rubenstein, Carl (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a64c789c3c0449a9a851fe68e73bdca0-Rubenstein,>"; "Simmons, Joann (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c1ec3c59abe64be9b2b46ff1732382d3-Simmons, Jo>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>" |
| Sent Date: | 2017/07/06 15:39:47 |
| Delivered Date: | 2017/07/06 15:39:48 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| CC: | "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>" |
| Subject: | Fwd: Hearing with ORR |
| Date: | 2017/07/07 16:34:40 |
| Priority: | Normal |
| Type: | Note |

Exhibits the ACLU mentioned.

From: "Fuma, Julia (HHS/OGC)" <Julia.Fuma@hhs.gov>
Subject: FW: Hearing with ORR
Date: 07 July 2017 16:32
To: "Bena, Anna Marie (HHS/OGC) (ACF)" <Annamarie.Bena@HHS.GOV>, "Biswas, Toby R M (ACF)" <Toby.Biswas@ACF.hhs.gov>
Cc: "Haron, Judith (HHS/OGC)" <Judith.Haron@HHS.GOV>
Sent my comment too soon. Here are the exhibits.

-----Original Message-----

From: Fabian, Sarah B (CIV) [mailto:Sarah.B.Fabian@usdoj.gov]
Sent: Friday, July 07, 2017 4:26 PM
To: Fuma, Julia (HHS/OGC)
Subject: RE: Hearing with ORR

Sarah B. Fabian
Senior Litigation Counsel
Office of Immigration Litigation - District Court Section
(202) 532-4824

-----Original Message-----

From: Fuma, Julia (HHS/OGC) [mailto:Julia.Fuma@hhs.gov]
Sent: Friday, July 07, 2017 3:48 PM
To: Fabian, Sarah B (CIV) <sfabian@CIV.USDOJ.GOV>
Subject: RE: Hearing with ORR

(b)(5)

-----Original Message-----

From: Fabian, Sarah B (CIV) [mailto:Sarah.B.Fabian@usdoj.gov]

Sent: Friday, July 07, 2017 2:34 PM
To: Fuma, Julia (HHS/OGC)
Subject: Re: Hearing with ORR

(b)(5)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Fuma, Julia (HHS/OGC)" <Julia.Fuma@hhs.gov>
Date: 7/7/17 11:32 AM (GMT-08:00)
To: "Fabian, Sarah B (CIV)" <sfabian@CIV.USDOJ.GOV>
Subject: RE: Hearing with ORR

(b)(5)

-----Original Message-----

From: Fabian, Sarah B (CIV) [mailto:Sarah.B.Fabian@usdoj.gov]
Sent: Friday, July 07, 2017 2:29 PM
To: Fuma, Julia (HHS/OGC)
Subject: Re: Hearing with ORR

(b)(5)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Fuma, Julia (HHS/OGC)" <Julia.Fuma@hhs.gov>
Date: 7/7/17 11:05 AM (GMT-08:00)
To: "Fabian, Sarah B (CIV)" <sfabian@CIV.USDOJ.GOV>
Subject: FW: Hearing with ORR

From: Biswas, Toby R M (ACF)
Sent: Friday, July 07, 2017 2:02 PM
To: Julia Mass; Stephanie Gibbs; wfreeman@aclunc.org
Cc: Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF); De LA Cruz, James (ACF); Smith, Elicia (ACF)
Subject: RE: Hearing with ORR

Here are the rest of the documents.

Thank you,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services Administration for Children and Families Office of
Refugee Resettlement Office of the Director - Division of Policy and Procedures

(202) 205-4440 (O)

(301) (b)(6) (C)

(202) 401-1022 (F)

From: Julia Mass [mailto:jmass@aclunc.org]

Sent: Thursday, July 06, 2017 11:00 PM

To: Biswas, Toby R M (ACF); Stephanie Gibbs

Cc: Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF); De LA Cruz, James (ACF); Smith, Elicia (ACF)

Subject: RE: Hearing with ORR

Dear Toby,

Please pass along the attached letter and supporting documents to Mr. Lloyd from Stephanie Gibbs and me.

Thank you,

Julia

Julia Harumi Mass, Senior Staff Attorney American Civil Liberties Union Foundation of Northern
California

39 Drumm Street

San Francisco, CA 94111

tel (415) 621-2493 ext. 339

fax (415) 255-8437

www.aclunc.org<<http://www.aclunc.org/>>

From: Biswas, Toby R M (ACF) [mailto:Toby.Biswas@ACF.hhs.gov]

Sent: Thursday, July 06, 2017 12:34 PM

To: Stephanie Gibbs

Cc: Julia Mass; Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF); De LA Cruz, James (ACF); Smith, Elicia (ACF)

Subject: RE: Hearing with ORR

Stephanie and Julia:

Here is the call-in information for tomorrow's call:

Call in: (b)(6) Participant Access Code (b)(6)

A room and telephone will be available at Yolo. Additionally, an interpreter will be available in person for the call. Yolo has been informed that you will be arriving to speak to your client 30 minutes prior to the call.

Thank you,

Toby

Toby R. M. Biswas, ESQ.

Unaccompanied Alien Children Policy Supervisor

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(202) 205-4440 (O)

(301) (b)(6) (C)

(202) 401-1022 (F)

From: Stephanie Gibbs [mailto:sgibbs@safepassageproject.org]

Sent: Wednesday, July 05, 2017 8:54 PM

To: Biswas, Toby R M (ACF)

Cc: Julia Mass; Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF)

Subject: Re: Hearing with ORR

Toby,

Thank you for sending these along.

Stephanie

On Wed, Jul 5, 2017 at 8:08 PM, Biswas, Toby R M (ACF)

<Toby.Biswas@acf.hhs.gov<mailto:Toby.Biswas@acf.hhs.gov>> wrote:

Julia and Stephanie:

Please find attached a case review recommendation from the (b)(6) current placement, along with supporting SIRs and OYAS tool. ORR is currently considering the recommendation that the minor remain in Yolo-Secure.

We are working on the logistics for Friday's teleconference and will update you as soon as possible.

Thank you,

Toby

Toby R. M. Biswas, ESQ.

Unaccompanied Alien Children Policy Supervisor

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(202) 205-4440<tel:(202)%20205-4440> (O)

(301) (b)(6) (C)

(202) 401-1022<tel:(202)%20401-1022> (F)

From: Julia Mass [mailto:jmass@aclunc.org<mailto:jmass@aclunc.org>]

Sent: Wednesday, July 05, 2017 6:02 PM

To: Biswas, Toby R M (ACF); Stephanie Gibbs

Cc: Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF)

Subject: RE: Hearing with ORR

I will be out of the office and without access to email for most of the day tomorrow. Please contact me by phone if needed and let us know as soon as possible if you have any more information that ORR will be using in its consideration of this case. My mobile number is 510-(b)(6).

Please let me know as soon as you know where (b)(6) will be participating in the teleconference so that I can join him there. I would like to meet him 30 minutes prior to the meeting with Mr. Lloyd to go over any last

minute questions. In addition, please be advised that (b)(6) will need an interpreter for this hearing.

Thanks,
Julia

From: Biswas, Toby R M (ACF) [mailto:Toby.Biswas@ACF.hhs.gov]
Sent: Wednesday, July 5, 2017 9:58 AM
To: Stephanie Gibbs <sgibbs@safepassageproject.org<mailto:sgibbs@safepassageproject.org>>; Julia Mass <jmass@aclunc.org<mailto:jmass@aclunc.org>>
Cc: Bena, Anna Marie (HHS/OGC) (ACF)
<Annamarie.Bena@HHS.GOV<mailto:Annamarie.Bena@HHS.GOV>>; Fuma, Julia (HHS/OGC)
<Julia.Fuma@hhs.gov<mailto:Julia.Fuma@hhs.gov>>; Haron, Judith (HHS/OGC)
<Judith.Haron@HHS.GOV<mailto:Judith.Haron@HHS.GOV>>; Suh, Victor (HHS/OGC) (ACF) (CTR)
<Victor.Suh@acf.hhs.gov<mailto:Victor.Suh@acf.hhs.gov>>; Mestre, Lisette (HHS/OGC)
<Lisette.Mestre@hhs.gov<mailto:Lisette.Mestre@hhs.gov>>; Gregg, Laura (ACF)
<Laura.Gregg@acf.hhs.gov<mailto:Laura.Gregg@acf.hhs.gov>>
Subject: RE: Hearing with ORR

Stephanie and Julia:

We are scheduling the call for 10am PST/1pm EST. We will provide call in information soon.

Please find attached (b)(6) referral and placement documents used to justify his placement in a secure care provider. As you are aware (b)(6) placement in secure is undergoing review. I anticipate that documents related to the case review will be available later this afternoon. I will forward them as soon as they are available.

Please let me know if you have any questions.

Thanks,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services Administration for Children and Families Office of
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(202) 205-4440<tel:(202)%20205-4440> (O)
(301) (b)(6) (C)
(202) 401-1022<tel:(202)%20401-1022> (F)

From: Stephanie Gibbs [mailto:sgibbs@safepassageproject.org]
Sent: Wednesday, July 05, 2017 10:05 AM
To: Julia Mass
Cc: Biswas, Toby R M (ACF); Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF)
Subject: Re: Hearing with ORR

Julia, thank you for taking the lead on this.

Toby, I am also available on Friday, July 7, 2017 at either 10am PST/1pm EST or 11am PST/2pm EST. I'm looking forward to your confirmation on the time and the opportunity to review the evidence in advance of Friday's hearing.

Thank you kindly.

Best,
Stephanie

On Mon, Jul 3, 2017 at 7:40 PM, Julia Mass <jmass@aclunc.org<mailto:jmass@aclunc.org>> wrote:
Thank you. Also, in order for us to have sufficient time to review the evidence ORR used and is using to make its custody determination, please share that with us by 10:00 a.m. Pacific/1:00 p.m. Eastern on Wednesday, July 5. If you can't reach me at my office (415-293-6339<tel:(415)%20293-6339>), please call my mobile phone at 510-(b)(6)

Thanks again,

Julia

From: Biswas, Toby R M (ACF)
[mailto:Toby.Biswas@ACF.hhs.gov<mailto:Toby.Biswas@ACF.hhs.gov>]
Sent: Monday, July 3, 2017 12:52 PM
To: Julia Mass <jmass@aclunc.org<mailto:jmass@aclunc.org>>;
sgibbs@safepassageproject.org<mailto:sgibbs@safepassageproject.org>
Cc: Bena, Anna Marie (HHS/OGC) (ACF)
<Annamarie.Bena@HHS.GOV<mailto:Annamarie.Bena@HHS.GOV>>; Fuma, Julia (HHS/OGC)
<Julia.Fuma@hhs.gov<mailto:Julia.Fuma@hhs.gov>>; Haron, Judith (HHS/OGC)
<Judith.Haron@HHS.GOV<mailto:Judith.Haron@HHS.GOV>>; Suh, Victor (HHS/OGC) (ACF) (CTR)
<Victor.Suh@acf.hhs.gov<mailto:Victor.Suh@acf.hhs.gov>>; Mestre, Lisette (HHS/OGC)
<Lisette.Mestre@hhs.gov<mailto:Lisette.Mestre@hhs.gov>>; Gregg, Laura (ACF)
<Laura.Gregg@acf.hhs.gov<mailto:Laura.Gregg@acf.hhs.gov>>
Subject: RE: Hearing with ORR

Julia:

I'm working with the Director's assistant to schedule. We'll confirm with you on Wednesday of the exact time. I'm working on the logistics with the program office to have your client available as well. I'll be in touch soon.

-Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services Administration for Children and Families Office of
Refugee Resettlement Office of the Director - Division of Policy and Procedures

(202) 205-4440<tel:(202)%20205-4440> (O)
(301) (b)(6) (C)
(202) 401-1022<tel:(202)%20401-1022> (F)

From: Julia Mass [mailto:jmass@aclunc.org]
Sent: Monday, July 03, 2017 3:44 PM
To: Biswas, Toby R M (ACF); sgibbs@safepassageproject.org<mailto:sgibbs@safepassageproject.org>
Cc: Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh,
Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF)
Subject: RE: Hearing with ORR

Toby,

Please call me Julia. I am available on Friday. If we make it early in the day, I can arrange to be present with our client at the Yolo Facility or other location in northern California. For this reason, I would prefer to have the call at 10:00 or 11:00 Pacific time.

Thank you,
Julia

Julia Harumi Mass
Senior Staff Attorney
ACLU Foundation of Northern California
39 Drumm Street
San Francisco, California 94111
tel. (415) 621-2493 ext 339<tel:(415)%20621-2493> fax. (415) 255-8437<tel:(415)%20255-8437>
pronouns: she/her/hers
www.aclunc.org<<http://www.aclunc.org>>

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From: Biswas, Toby R M (ACF) [<mailto:Toby.Biswas@ACF.hhs.gov>]
Sent: Monday, July 3, 2017 12:38 PM
To: Julia Mass <jmass@aclunc.org<<mailto:jmass@aclunc.org>>>;
sgibbs@safepassageproject.org<<mailto:sgibbs@safepassageproject.org>>
Cc: Bena, Anna Marie (HHS/OGC) (ACF)
<Annamarie.Bena@HHS.GOV<<mailto:Annamarie.Bena@HHS.GOV>>>; Fuma, Julia (HHS/OGC)
<Julia.Fuma@hhs.gov<<mailto:Julia.Fuma@hhs.gov>>>; Haron, Judith (HHS/OGC)
<Judith.Haron@HHS.GOV<<mailto:Judith.Haron@HHS.GOV>>>; Suh, Victor (HHS/OGC) (ACF) (CTR)
<Victor.Suh@acf.hhs.gov<<mailto:Victor.Suh@acf.hhs.gov>>>; Mestre, Lisette (HHS/OGC)
<Lisette.Mestre@hhs.gov<<mailto:Lisette.Mestre@hhs.gov>>>; Gregg, Laura (ACF)
<Laura.Gregg@acf.hhs.gov<<mailto:Laura.Gregg@acf.hhs.gov>>>
Subject: Hearing with ORR

Ms. Mass and Ms. Gibbs:

Are you available for a conference call with the Scott Lloyd the ORR Director, July 7th, 2017 (Friday)? The discussion will cover the information ORR reviews in regards to your client's referral, placement, review of the placement and release assessment, as required by Judge Chhabria. I'm still waiting for that information from the program office and will provide it as soon as it is available.

Please let me know if you have any questions.

Thanks,
Toby Biswas

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services Administration for Children and Families Office of
Refugee Resettlement Office of the Director - Division of Policy and Procedures

(202) 205-4440<tel:(202)%20205-4440> (O)
(301) [REDACTED] (b)(6) (C)
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Stephanie E. Gibbs
Supervising Attorney, Long Island
Safe Passage Project
185 West Broadway
New York, NY 10013
T: 212-324-6558<tel:(212)%20324-6558> (Main Office); 646-657-7715<tel:(646)%20657-7715> (Direct)
F: 347-368-2213<tel:(347)%20368-2213>
E: sgibbs@safepassageproject.org<mailto:sgibbs@safepassageproject.org>
www.safepassageproject.org<<http://www.safepassageproject.org><<http://www.safepassageproject.org><<http://www.safepassageproject.org>>>>

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Stephanie E. Gibbs
Supervising Attorney, Long Island
Safe Passage Project
185 West Broadway
New York, NY 10013
T: 212-324-6558 (Main Office); 646-657-7715 (Direct)
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www.safepassageproject.org<<http://www.safepassageproject.org><<http://www.safepassageproject.org><<http://www.safepassageproject.org>>>>

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| | |
|-------------------|--|
| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; |

| | |
|------------------------|--|
| | "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>" |
| Sent Date: | 2017/07/07 16:34:35 |
| Delivered Date: | 2017/07/07 16:34:40 |

| | |
|------------------|---|
| From: | Biswas, Toby R M (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65CEAD6D4C1A4FF79834677334FD7980-BISWAS, TOB> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>" |
| Subject: | Fwd: Hearing with ORR |
| Date: | 2017/07/07 17:33:31 |
| Priority: | Normal |
| Type: | Note |

All exhibits.

From: "Fuma, Julia (HHS/OGC)" <Julia.Fuma@hhs.gov>
Subject: FW: Hearing with ORR
Date: 07 July 2017 17:15
To: "Biswas, Toby R M (ACF)" <Toby.Biswas@ACF.hhs.gov>, "Bena, Anna Marie (HHS/OGC) (ACF)" <Annamarie.Bena@HHS.GOV>

-----Original Message-----

From: Fabian, Sarah B (CIV) [mailto:Sarah.B.Fabian@usdoj.gov]
Sent: Friday, July 07, 2017 5:06 PM
To: Fuma, Julia (HHS/OGC)
Subject: RE: Hearing with ORR

(b)(5)

Sarah B. Fabian
Senior Litigation Counsel
Office of Immigration Litigation - District Court Section
(202) 532-4824

-----Original Message-----

From: Fuma, Julia (HHS/OGC) [mailto:Julia.Fuma@hhs.gov]
Sent: Friday, July 07, 2017 5:02 PM
To: Fabian, Sarah B (CIV) <sfabian@CIV.USDOJ.GOV>
Subject: RE: Hearing with ORR

(b)(5)

-----Original Message-----

From: Fabian, Sarah B (CIV) [mailto:Sarah.B.Fabian@usdoj.gov]

Sent: Friday, July 07, 2017 4:26 PM
To: Fuma, Julia (HHS/OGC)
Subject: RE: Hearing with ORR

Sarah B. Fabian
Senior Litigation Counsel
Office of Immigration Litigation - District Court Section
(202) 532-4824

-----Original Message-----

From: Fuma, Julia (HHS/OGC) [<mailto:Julia.Fuma@hhs.gov>]
Sent: Friday, July 07, 2017 3:48 PM
To: Fabian, Sarah B (CIV) <sfabian@CIV.USDOJ.GOV>
Subject: RE: Hearing with ORR

(b)(5)

-----Original Message-----

From: Fabian, Sarah B (CIV) [<mailto:Sarah.B.Fabian@usdoj.gov>]
Sent: Friday, July 07, 2017 2:34 PM
To: Fuma, Julia (HHS/OGC)
Subject: Re: Hearing with ORR

(b)(5)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Fuma, Julia (HHS/OGC)" <Julia.Fuma@hhs.gov>
Date: 7/7/17 11:32 AM (GMT-08:00)
To: "Fabian, Sarah B (CIV)" <sfabian@CIV.USDOJ.GOV>
Subject: RE: Hearing with ORR

(b)(5)

-----Original Message-----

From: Fabian, Sarah B (CIV) [<mailto:Sarah.B.Fabian@usdoj.gov>]
Sent: Friday, July 07, 2017 2:29 PM
To: Fuma, Julia (HHS/OGC)
Subject: Re: Hearing with ORR

(b)(5)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Fuma, Julia (HHS/OGC)" <Julia.Fuma@hhs.gov>
Date: 7/7/17 11:05 AM (GMT-08:00)
To: "Fabian, Sarah B (CIV)" <sfabian@CIV.USDOJ.GOV>
Subject: FW: Hearing with ORR

From: Biswas, Toby R M (ACF)
Sent: Friday, July 07, 2017 2:02 PM
To: Julia Mass; Stephanie Gibbs; wfreeman@aclunc.org
Cc: Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF); De LA Cruz, James (ACF); Smith, Elicia (ACF)
Subject: RE: Hearing with ORR

Here are the rest of the documents.

Thank you,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

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Subject: RE: Hearing with ORR

Dear Toby,
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Thank you,
Julia

Julia Harumi Mass, Senior Staff Attorney American Civil Liberties Union Foundation of Northern
California
39 Drumm Street
San Francisco, CA 94111
tel (415) 621-2493 ext. 339
fax (415) 255-8437
www.aclunc.org<<http://www.aclunc.org/>>

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Subject: RE: Hearing with ORR

Stephanie and Julia:

Here is the call-in information for tomorrow's call:

Call in: (b)(6) Participant Access Code (b)(6)

A room and telephone will be available at Yolo. Additionally, an interpreter will be available in person for the call. Yolo has been informed that you will be arriving to speak to your client 30 minutes prior to the call.

Thank you,
Toby

Toby R. M. Biswas, ESQ.
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Cc: Julia Mass; Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF)
Subject: Re: Hearing with ORR

Toby,

Thank you for sending these along.

Stephanie

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<Toby.Biswas@acf.hhs.gov<mailto:Toby.Biswas@acf.hhs.gov>> wrote:
Julia and Stephanie:

Please find attached a case review recommendation from the (b)(6) current placement, along with supporting SIRs and OYAS tool. ORR is currently considering the recommendation that the minor remain in Yolo-Secure.

We are working on the logistics for Friday's teleconference and will update you as soon as possible.

Thank you,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

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(301) [REDACTED] (C)
(202) 401-1022<tel:(202)%20401-1022> (F)

From: Julia Mass [mailto:jmass@aclunc.org<mailto:jmass@aclunc.org>]
Sent: Wednesday, July 05, 2017 6:02 PM
To: Biswas, Toby R M (ACF); Stephanie Gibbs

Cc: Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF)
Subject: RE: Hearing with ORR

I will be out of the office and without access to email for most of the day tomorrow. Please contact me by phone if needed and let us know as soon as possible if you have any more information that ORR will be using in its consideration of this case. My mobile number is 510-[REDACTED]

Please let me know as soon as you know where [REDACTED] will be participating in the teleconference so that I can join him there. I would like to meet him 30 minutes prior to the meeting with Mr. Lloyd to go over any last minute questions. In addition, please be advised that [REDACTED] will need an interpreter for this hearing.

Thanks,
Julia

From: Biswas, Toby R M (ACF) [mailto:Toby.Biswas@ACF.hhs.gov]
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Cc: Bena, Anna Marie (HHS/OGC) (ACF)
<Annamarie.Bena@HHS.GOV<mailto:Annamarie.Bena@HHS.GOV>>; Fuma, Julia (HHS/OGC)
<Julia.Fuma@hhs.gov<mailto:Julia.Fuma@hhs.gov>>; Haron, Judith (HHS/OGC)
<Judith.Haron@HHS.GOV<mailto:Judith.Haron@HHS.GOV>>; Suh, Victor (HHS/OGC) (ACF) (CTR)
<Victor.Suh@acf.hhs.gov<mailto:Victor.Suh@acf.hhs.gov>>; Mestre, Lisette (HHS/OGC)
<Lisette.Mestre@hhs.gov<mailto:Lisette.Mestre@hhs.gov>>; Gregg, Laura (ACF)
<Laura.Gregg@acf.hhs.gov<mailto:Laura.Gregg@acf.hhs.gov>>
Subject: RE: Hearing with ORR

Stephanie and Julia:

We are scheduling the call for 10am PST/1pm EST. We will provide call in information soon.

Please find attached [REDACTED] referral and placement documents used to justify his placement in a secure care provider. As you are aware [REDACTED] placement in secure is undergoing review. I anticipate that documents related to the case review will be available later this afternoon. I will forward them as soon as they are available.

Please let me know if you have any questions.

Thanks,
Toby

Toby R. M. Biswas, ESQ.

Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services Administration for Children and Families Office of
Refugee Resettlement Office of the Director - Division of Policy and Procedures

(202) 205-4440<tel:(202)%20205-4440> (O)

(301) (b)(6) (C)

(202) 401-1022<tel:(202)%20401-1022> (F)

From: Stephanie Gibbs [<mailto:sgibbs@safepassageproject.org>]

Sent: Wednesday, July 05, 2017 10:05 AM

To: Julia Mass

Cc: Biswas, Toby R M (ACF); Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF)

Subject: Re: Hearing with ORR

Julia, thank you for taking the lead on this.

Toby, I am also available on Friday, July 7, 2017 at either 10am PST/1pm EST or 11am PST/2pm EST. I'm looking forward to your confirmation on the time and the opportunity to review the evidence in advance of Friday's hearing.

Thank you kindly.

Best,
Stephanie

On Mon, Jul 3, 2017 at 7:40 PM, Julia Mass <jmass@aclunc.org<<mailto:jmass@aclunc.org>>> wrote:
Thank you. Also, in order for us to have sufficient time to review the evidence ORR used and is using to make its custody determination, please share that with us by 10:00 a.m. Pacific/1:00 p.m. Eastern on Wednesday, July 5. If you can't reach me at my office (415-293-6339<tel:(415)%20293-6339>), please call my mobile phone at 510-385-4214<tel:(510)%20385-4214>.

Thanks again,

Julia

From: Biswas, Toby R M (ACF)

[<mailto:Toby.Biswas@ACF.hhs.gov><<mailto:Toby.Biswas@ACF.hhs.gov>>]

Sent: Monday, July 3, 2017 12:52 PM

To: Julia Mass <jmass@aclunc.org<<mailto:jmass@aclunc.org>>>;

sgibbs@safepassageproject.org<<mailto:sgibbs@safepassageproject.org>>

Cc: Bena, Anna Marie (HHS/OGC) (ACF)

<Annamarie.Bena@HHS.GOV<<mailto:Annamarie.Bena@HHS.GOV>>>; Fuma, Julia (HHS/OGC)

<Julia.Fuma@hhs.gov<<mailto:Julia.Fuma@hhs.gov>>>; Haron, Judith (HHS/OGC)

<Judith.Haron@HHS.GOV<<mailto:Judith.Haron@HHS.GOV>>>; Suh, Victor (HHS/OGC) (ACF) (CTR)

<Victor.Suh@acf.hhs.gov<<mailto:Victor.Suh@acf.hhs.gov>>>; Mestre, Lisette (HHS/OGC)

<Lisette.Mestre@hhs.gov<<mailto:Lisette.Mestre@hhs.gov>>>; Gregg, Laura (ACF)

<Laura.Gregg@acf.hhs.gov<<mailto:Laura.Gregg@acf.hhs.gov>>>

Subject: RE: Hearing with ORR

Julia:

I'm working with the Director's assistant to schedule. We'll confirm with you on Wednesday of the exact time. I'm working on the logistics with the program office to have your client available as well. I'll be in

touch soon.

-Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services Administration for Children and Families Office of
Refugee Resettlement Office of the Director - Division of Policy and Procedures

(202) 205-4440<tel:(202)%20205-4440> (O)
(301) [REDACTED] (b)(6) (C)
(202) 401-1022<tel:(202)%20401-1022> (F)

From: Julia Mass [<mailto:jmass@aclunc.org>]
Sent: Monday, July 03, 2017 3:44 PM
To: Biswas, Toby R M (ACF); sgibbs@safepassageproject.org<<mailto:sgibbs@safepassageproject.org>>
Cc: Bena, Anna Marie (HHS/OGC) (ACF); Fuma, Julia (HHS/OGC); Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mestre, Lisette (HHS/OGC); Gregg, Laura (ACF)
Subject: RE: Hearing with ORR

Toby,
Please call me Julia. I am available on Friday. If we make it early in the day, I can arrange to be present with our client at the Yolo Facility or other location in northern California. For this reason, I would prefer to have the call at 10:00 or 11:00 Pacific time.

Thank you,
Julia

Julia Harumi Mass
Senior Staff Attorney
ACLU Foundation of Northern California
39 Drumm Street
San Francisco, California 94111
tel. (415) 621-2493 ext 339<tel:(415)%20621-2493> fax. (415) 255-8437<tel:(415)%20255-8437>
pronouns: she/her/hers
www.aclunc.org<<http://www.aclunc.org>>

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From: Biswas, Toby R M (ACF) [<mailto:Toby.Biswas@ACF.hhs.gov>]
Sent: Monday, July 3, 2017 12:38 PM
To: Julia Mass <jmass@aclunc.org<<mailto:jmass@aclunc.org>>>;
sgibbs@safepassageproject.org<<mailto:sgibbs@safepassageproject.org>>
Cc: Bena, Anna Marie (HHS/OGC) (ACF)
<Annamarie.Bena@HHS.GOV<<mailto:Annamarie.Bena@HHS.GOV>>>; Fuma, Julia (HHS/OGC)
<Julia.Fuma@hhs.gov<<mailto:Julia.Fuma@hhs.gov>>>; Haron, Judith (HHS/OGC)
<Judith.Haron@HHS.GOV<<mailto:Judith.Haron@HHS.GOV>>>; Suh, Victor (HHS/OGC) (ACF) (CTR)
<Victor.Suh@acf.hhs.gov<<mailto:Victor.Suh@acf.hhs.gov>>>; Mestre, Lisette (HHS/OGC)

<Lisette.Mestre@hhs.gov<mailto:Lisette.Mestre@hhs.gov>>; Gregg, Laura (ACF)
<Laura.Gregg@acf.hhs.gov<mailto:Laura.Gregg@acf.hhs.gov>>
Subject: Hearing with ORR

Ms. Mass and Ms. Gibbs:

Are you available for a conference call with the Scott Lloyd the ORR Director, July 7th, 2017 (Friday)?
The discussion will cover the information ORR reviews in regards to your client's referral, placement,
review of the placement and release assessment, as required by Judge Chhabria. I'm still waiting for that
information from the program office and will provide it as soon as it is available.

Please let me know if you have any questions.

Thanks,
Toby Biswas

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services Administration for Children and Families Office of
Refugee Resettlement Office of the Director - Division of Policy and Procedures

(202) 205-4440<tel:(202)%20205-4440> (O)
(301) (b)(6) (C)
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Stephanie E. Gibbs
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New York, NY 10013
T: 212-324-6558<tel:(212)%20324-6558> (Main Office); 646-657-7715<tel:(646)%20657-7715> (Direct)
F: 347-368-2213<tel:(347)%20368-2213>
E: sgibbs@safepassageproject.org<mailto:sgibbs@safepassageproject.org>
www.safepassageproject.org<<http://www.safepassageproject.org><<http://www.safepassageproject.org><<http://www.safepassageproject.org>>>

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F: 347-368-2213
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www.safepassageproject.org<<http://www.safepassageproject.org><<http://www.safepassageproject.org><<http://www.safepassageproject.org>>>

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|------------------------|---|
| Sender: | Biswas, Toby R M (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65CEAD6D4C1A4FF79834677334FD7980-BISWAS, TOB> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>" |
| Sent Date: | 2017/07/07 17:33:13 |
| Delivered Date: | 2017/07/07 17:33:31 |

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| From: | White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH> |
| To: | "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>" |
| Subject: | Re: Casa Phoenix SMPR 1 of 2 |
| Date: | 2017/07/13 06:52:35 |
| Priority: | Normal |
| Type: | Note |

Thanks, Michael. Will advise if other information is needed.

Jonathan White
 Commander, US Public Health Service
 Deputy Director for Children's Programs
 Office of Refugee Resettlement
 Administration for Children and Families
 Jonathan.White@acf.hhs.gov
 (202) 570-8916

On: 12 July 2017 23:36, "Bartholomew, Michael (ACF)"
 <Michael.Bartholomew@acf.hhs.gov> wrote:
 Hi Scott and Jonathan,

This SMR is being prepped for your approval. This SMR is in regards to the following UAC that was reported on last week.

14 yo UAC (b)(6) admitted on June 24, 2017 to SKW Phoenix, Phoenix, AZ was reported by herself to be pregnant. Child stated that she was evaluated by a medical provider in home country and was notified of her pregnancy; however she was never evaluated by OB/GYN. Urine pregnancy was positive during the IME. Child reported the pregnancy was a result of consensual sexual relations with her boyfriend in COO. DHUC was informed via standard reporting procedures. The child is being referred to OB/GYN services. The UAC made no statement or allegation of sexual abuse or assault. The portal does not indicate any request related to information regarding pregnancy termination. UPDATE: Further information obtained indicated the child had US at the border and was told the fetus did not have a heartbeat however the UAC did not fully understand this. UAC was seen by OB services on 6/29/2017 her pregnancy was confirmed to be approximately 10 weeks. Additionally, the fetus had growth of an 8 week fetus and did not have a heartbeat. UAC is to follow-up with OB in one week. The UAC was advised that she might undergo miscarriage naturally during the interim period.

UPDATE #2: The UAC had a re-evaluation by OB on 7/6. She continues to have no signs or symptoms of aborting. The clinician has recommended a D&E to avoid any complication or infection. Per SIR reports, the UAC's mother was contacted and advised of the clinical situation of her daughter. *"Mother expressed to Clinician that she wants UAC to receive what is medically needed and recommended."*

Password: (b)(6)

Please let me know if you need any further information.

Michael

Michael L. Bartholomew, M.D., FAAP
CDR, U.S. Public Health Service
Director, Division of Health for Unaccompanied Children (DHUC)
Unaccompanied Children Programs
Office of Refugee Resettlement
Administration for Children and Families
U.S. Department of Health and Human Services
Mary E. Switzer Building
330 C St SW, MS 5123
Washington, DC 20201
Phone: 202-401-5375
michael.bartholomew@acf.hhs.gov
www.acf.hhs.gov

From: (b)(6)@swkey.org]
Sent: Wednesday, July 12, 2017 5:39 PM
To: ORR DHUC; UMP Medical
Cc: Eva Torres
Subject: [WARNING : MESSAGE ENCRYPTED] Casa Phoenix SMPR 1 of 2

Good afternoon Team:

Please review attached form for a needed procedure as recommended by OB/Gyn

Doctor Notes are password encrypted. A separate email will be sent with password.

FYI SMR form is not password encrypted because it was already encrypted by creator of original form.

Thank You,

(b)(6)

RMA

Assistant Lead Medical Coordinator
Southwest Key Programs- Casa Phoenix 922
Office: 602.396.7040 ext 3822

Cell: 602. (b)(6)

Fax: 602.532.7525

e-mail: (b)(6)@swkey.org

| | |
|------------------------|---|
| Sender: | White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH> |
| Recipient: | "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Misegades, Lara (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb1ce43ecb18472b86f2b1dd90441103-Misegades,>" |
| Sent Date: | 2017/07/13 06:52:34 |
| Delivered Date: | 2017/07/13 06:52:35 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>" |
| Subject: | Weekly Litigation Update |
| Date: | 2017/07/13 13:55:44 |
| Priority: | Normal |
| Type: | Note |

I have attached the weekly litigation update.

UC litigation. In *AH*, the ORR Director decided to step down AH to staff-secure care, and DOJ filed the decision with the court. At the status conference on Wednesday, plaintiffs announced that they would amend their complaint and add APA and constitutional claims. They have until August 11. In *Nash*, the court issued a scheduling order and granted the federal defendants' unopposed motion to extend the deadline for completing settlement negotiations by one week. The deadline is now 7/18. In the *ACLU* case, IT was unable to complete an email search, and ORR staff will likely need to produce their emails to update the discovery for April through June.

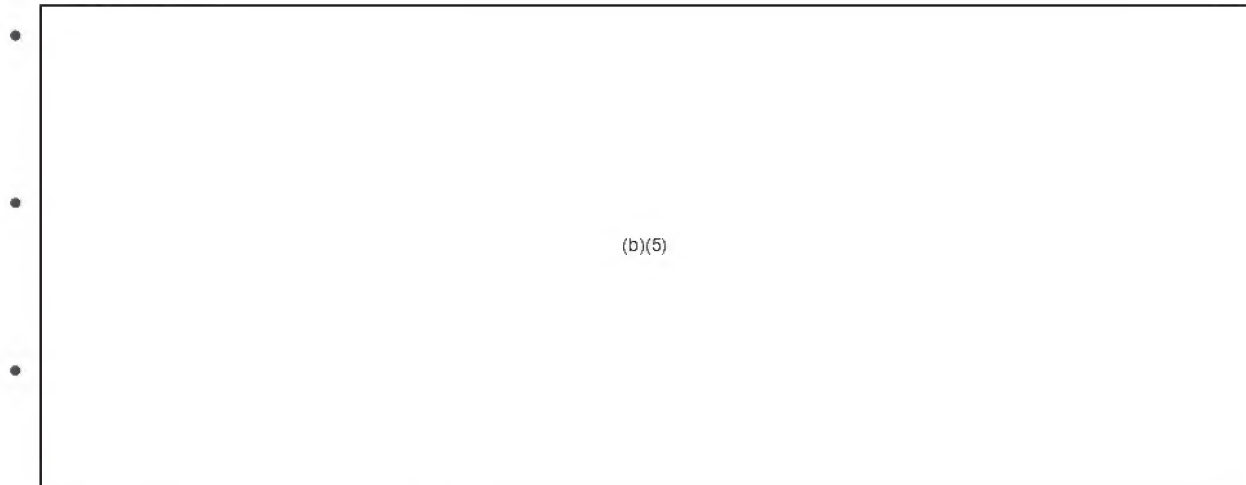
Refugee litigation. There were no significant updates to refugee litigation this week.

| | |
|------------------------|---|
| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>" |
| Sent Date: | 2017/07/13 13:55:41 |
| Delivered Date: | 2017/07/13 13:55:44 |

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| From: | Biswas, Toby R M (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65CEAD6D4C1A4FF79834677334FD7980-BISWAS, TOB> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>" |
| Subject: | RE: Requests from Steve |
| Date: | 2017/07/24 13:34:38 |
| Priority: | Normal |
| Type: | Note |

Scott:

See attached.



Let me know if you have any questions.

Thanks,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)
(301) (b)(6) (C)
(202) 401-1022 (F)

From: Lloyd, Scott (ACF)
Sent: Monday, July 24, 2017 1:00 PM
To: Biswas, Toby R M (ACF); Bena, Anna Marie (HHS/OGC) (ACF)
Subject: Requests from Steve
Importance: High

I need a copy of the Flores implementation reg and the PREA reg in whatever shape they are in at this point. Steve asked for drafts.

Thank you,
Scott

| | |
|------------------------|--|
| Sender: | Biswas, Toby R M (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65CEAD6D4C1A4FF79834677334FD7980-BISWAS, TOB> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>" |
| Sent Date: | 2017/07/24 13:34:36 |
| Delivered Date: | 2017/07/24 13:34:38 |

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| From: | ACF Media Clips (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CE7732928C9940438B1362D2C03D4A79-ACFMEDIACLI> |
| To: | "ACF - All ACF Staff </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=36fef8f2006c44b092c998bc7e0c4b79-ACF - All A>" |
| Subject: | ACF Media Clips for July 25, 2017 |
| Date: | 2017/07/25 12:33:50 |
| Priority: | Normal |
| Type: | Note |

ACF Media Clips for July 25, 2017

-

Children, Youth & Families

Child welfare ideas from the experts #4: A national foster youth taxonomy (featuring ACF)

This taxonomy would also improve the federal understanding of what's happening with foster youth, writes Rodgers. The Adoption and Foster Care Analysis and Reporting System (AFCARS) collects placement and demographic information, and the National Child Abuse and Neglect Data System monitors the nature of maltreatment reports and substantiation.

Analysis

Chronicle of Social Change, CA

July 25, 2017

Teen pregnancy program abruptly loses millions from feds

A spokesperson for the Department of Health and Human Services told VTDigger that a policy statement allows an agency to discontinue a grant "because continued funding would not be in the best interests of the federal government."

VT Digger, VT

July 24, 2017

Texas had a teen pregnancy crisis — even before Trump started slashing funding

Leaders here recognize what a serious problem this is. Teen pregnancy is linked to poverty, and when it is concentrated in certain ZIP codes, it becomes a driver of entrenched neighborhood poverty.

Editorial

Dallas Morning News, TX

July 24, 2017

New attitudes toward adoption from foster care offer hope

Choosing to adopt through the foster care system means accepting that the process, and sometimes the outcome, can be uncertain. Bureaucratic procedures vary from state to state and even county to county, but the practice of concurrent planning, which places children with potential adoptive families before the termination of parental rights, is standard.

Perspective

Washington Post, DC

July 24, 2017

In past decade, foster care-adoption gains popularity while private adoption's rep takes hit

There are also some noteworthy increases in which Americans are considering adoption. Trends in education and income demographics suggest a “donut-hole” effect.

Analysis

Chronicle of Social Change, CA

July 24, 2017

Child Support

Cruz blasts AG

First, allowing the statute of limitations to expire to select a Special Prosecutor to investigate the Governor for his illegal issuance of retroactive bonus pay to his employees in 2014, second, remaining silent when government officials took money from the Child Support Enforcement Fund, and lastly, willfully exploiting her office to benefit her employees and then deceiving the legislature to do so.

KUAM, Guam

July 24, 2017

Community Services

Americans: Getting by, but not getting ahead (featuring ACF)

For instance, Prosperity Now notes that in 2017, Congress “gutted” the federally-supported Assets for Independence anti-poverty program. This little-known, 19-year-old program, administered by the U.S. Department of Health and Human Services, has helped low- and moderate-income families save to buy a home, pay for college or start or expand a business by matching a portion of the money they’ve put aside.

Opinion

Next Avenue, MN

July 25, 2017

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Family Assistance

District does an about-face on welfare reform with decision to keep helping long-term recipients (featuring ACF)

Under the city’s recently enacted budget for the next fiscal year, not only will long-term welfare clients continue to receive monthly payments, they eventually will get substantial increases in benefits after enduring incremental reductions over the past several years.

Washington Post, DC

July 24, 2017

-

Cash assistance cases still above pre-recession levels (featuring ACF)

The number of Oregonians receiving federal cash assistance remains higher than it was at the start of the Great Recession, but state analysts expect the number to shrink to pre-recession levels by early 2019.

Portland Tribune, OR
July 24, 2017

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Head Start

SMILE holds first of three meetings on Head Start (featuring ACF)

The first of three SMILE parent meetings this week is underway. SMILE is holding the meetings to talk to parents about the future of its Head Start and Early Head Start schools. Earlier this month, the U.S. Department of Health and Human Services has terminated the SMILE Community Action Agency's Head Start grant.

KATC, LA
July 24, 2017

-

Helping expectant and new mothers can lead to health and education gains for children, new paper says

A new paper released Monday identifies health and educational benefits for children whose mothers participated in a home visitation program that provides medical assistance and early childhood development. The Nurse-Family Partnership program begins in prenatal stages and ends when the child turns 2. The program offers care to disadvantaged, first-time and single mothers. Registered nurses visit the women's homes and assist both with medical needs and early education.

Chalkbeat, NY
July 24, 2017

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Refugee Resettlement

Trump will resettle Australia's refugees next year

The Trump Administration will resettle foreign refugees from the Middle East that are currently in detention centers in Australia. Despite previous reports that Trump would cancel the Australian refugee deal, the President is going through with the plan, but the refugees will be admitted in the next Fiscal Year, noted by the Center for Immigration Studies, as the 50,000 cap for Fiscal Year 2017 has already been reached.

Breitbart News, CA
July 25, 2017

As refugee admissions slow, where does LSS sit amid travel bans and court rulings?

"So I would describe it as almost a roller coaster of changes," said Shirley Dykshoorn, one of several Vice Presidents at Lutheran Social Services of North Dakota. "The uncertainty affects the staff and the funding levels will affect what we're able to do going forward. So we just take it a day at a time because certainly in the last few months there have been lots of changes," explained Shirley Dykshoorn. What looms now for the agency is a biennium study approved by the North Dakota legislature wherein the refugee resettlement program and its effects will be looked at. LSS says they have not laid any staff off within the resettlement program at this time.

KVLY, ND
July 24, 2017

-

State revolts against feds: No more refugees!

Of all the recent state lawsuits filed against the federal government's refugee resettlement program, which annually distributes tens of thousands of Third World migrants to more than 300 U.S. cities and towns, the one filed by Tennessee might be the most significant. Tennessee attacks the program at its core, challenging the federal government's self-proclaimed right to secretly plant foreign nationals of its own choosing – and the choosing of the United Nations – into U.S. cities and towns. Tennessee contends this is a blatant violation of the 10th Amendment and an unconstitutional infringement on state sovereignty.

Opinion

World Net Daily, DC

July 24, 2017

-

Trafficking

Trafficking, 'monstrous form of modern slavery,' killed immigrants in Texas

"It" is a mass murder and it did not begin with a desperate request for water. It began with a broken immigration system that is navigated by heartless people who traffic in human beings, turning tractor-trailers into 21st century equivalents of slave ships. While the human traffickers bear the immediate responsibility for this horrible crime, our nation bears a mediate responsibility as well. Comprehensive immigration reform would not eliminate all smuggling, even the smuggling of human beings. But, it would help.

Opinion

National Catholic Reporter, MO

July 25, 2017

Labor trafficking, exposed in Walmart parking lot, is one of the world's most underreported crimes

Three out of every 1,000 people in the world are held in slavery. They are the victims of human trafficking, at once one of the world's most high-profile and under-reported crimes. Over the weekend authorities announced deaths of nine people who were found, along with approximately 30 others, locked in a truck outside of a San Antonio Walmart. According to law enforcement all were victims of a human smuggling ring with suspected links to labor trafficking. These victims are the tip of a very large iceberg. Human trafficking is not a problem for the developing world or a niche issue. It is real and it affects hundreds of thousands of people right here in the United States.

Street, NY

July 25, 2017

There are thousands of human trafficking victims each year. Here's how you can help.

Thousands of people fall victim to human trafficking across the globe each year, and the number of reported cases in the U.S. is on the rise, human rights groups say. The latest trafficking tragedy occurred over the weekend when authorities in Texas found a tractor-trailer at a Walmart parking lot packed with more than two-dozen immigrants. Ten of the passengers have died in what San Antonio Police Chief William McManus called a "horrific" human-trafficking crime.

Time, NY

July 24, 2017

Unaccompanied Children

Feds arrest Memphis immigrants in Sunday 'surge', outraging activists

The arrests were part of a "surge" targeting "family units, adults who entered the U.S. as unaccompanied alien children (UAC), and UACs who are at least 16 years old and have criminal histories and/or suspected gang ties," according to a statement released by U.S. Immigration and Customs Enforcement regional spokesman Thomas Byrd. ICE will announce the number of arrests following the surge, Byrd said. He declined to offer more details about the surge or how long it would last. "Attempting to unlawfully enter the United States as a family unit or UAC does not protect individuals from being subject to the immigration laws of this country," Byrd stated.

Memphis Commercial Appeal, TN

July 24, 2017

Spotlight: New York killings underscore US problem with violent gangs

The UAC rule was intended initially to help young children who came over the border without their parents. But the majority of UACs were not small children, but rather 14-15-year-old teenagers, some belonging to gangs - such as MS-13 - and some having already committed crimes, even murders, on behalf of the gang, Telford said. Previously, the policy of detainment served as a deterrent to those entering illegally, but during the Obama years, the lenient approach toward UACs prompted a surge in young illegal immigrants in the United States, Telford said.

Xinhua News, China

July 24, 2017

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| Recipient: | "ACF - All ACF Staff </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=36fef8f2006c44b092c998bc7e0c4b79-ACF - All A>" |
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| Delivered Date: | 2017/07/25 12:33:50 |

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| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Subject: | RE: Draft with comments |
| Date: | 2017/07/26 13:12:30 |
| Priority: | Normal |
| Type: | Note |

I've added a section on TOP. I left in your earlier comments, and the new info is in track changes. I think (b)(5)

(b)(5)

From: Lloyd, Scott (ACF)
Sent: Thursday, June 01, 2017 11:19 AM
To: Bena, Anna Marie (HHS/OGC) (ACF)
Subject: Draft with comments

AnnaMarie,

As discussed earlier.

Scott

E. Scott Lloyd
Director
Office of Refugee Resettlement
U.S. Department of Health and Human Services
(202) 401-7269
(202) (b)(6) (cell)
scott.lloyd@acf.hhs.gov

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Sent Date: | 2017/07/26 13:12:30 |

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| From: | Biswas, Toby R M (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65CEAD6D4C1A4FF79834677334FD7980-BISWAS, TOB> |
| To: | "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | Draft Submission to Court |
| Date: | 2017/07/26 22:39:52 |
| Priority: | Normal |
| Type: | Note |

(b)(5)

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
Administration for Children and Families
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Office of the Director – Division of Policy and Procedures

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| Sent Date: | 2017/07/26 22:39:51 |
| Delivered Date: | 2017/07/26 22:39:52 |

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| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>" |
| CC: | "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Subject: | FW: Bond hearing next week - FW: Time-sensitive: (b)(6) |
| Date: | 2017/07/27 07:43:25 |
| Priority: | Normal |
| Type: | Note |

(b)(5)

From: Biswas, Toby R M (ACF)
Sent: Wednesday, July 26, 2017 11:34 PM
To: Lloyd, Scott (ACF); White, Jonathan (ACF)
Cc: Bena, Anna Marie (HHS/OGC) (ACF); Gregg, Laura (ACF)
Subject: FW: Bond hearing next week - FW: Time-sensitive: (b)(6)

Just sent forward.

Good night.

-Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

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Administration for Children and Families
Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)
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(202) 401-1022 (F)

From: Biswas, Toby R M (ACF)
Sent: Wednesday, July 26, 2017 11:33 PM
To: (b)(6)
Cc: (b)(6)@caircoalition.org; Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Bena, Anna Marie (HHS/OGC) (ACF)
Subject: RE: Bond hearing next week - FW: Time-sensitive: (b)(6)

(b)(6)

Good evening. Please see attached HHS submission per Judge Bryant's order. We note that this required submission to be outside the scope of the *Flores* decision but are submitting in compliance with the order.

Thank you,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
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Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)
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(202) 401-1022 (F)

From: (b)(6)@caircoalition.org]
Sent: Monday, July 24, 2017 5:29 PM
To: Biswas, Toby R M (ACF)
Cc: (b)(6)@caircoalition.org; Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mansilla, Jessie (ACF); Fink, David (ACF)
Subject: Re: Bond hearing next week - FW: Time-sensitive: Emmanuel (501)

Good Afternoon,

Thank you for alerting us to the process for requesting the home study, and for emailing a copy of the motion. I received the physical copy today, but it included several blank pages.

Please see attached a scanned copy of Respondent's Opposition Motion. I have also mailed a copy, which you should receive tomorrow morning. It is our position that the youth's impending birthday does not justify a delay, or undermine the necessity for the hearing.

Best,

(b)(6)

On Fri, Jul 21, 2017 at 1:49 PM, Biswas, Toby R M (ACF) <Toby.Biswas@acf.hhs.gov> wrote:
(b)(6):

The subject of the home study is the potential sponsor not the UAC. You need the potential sponsor's consent to the home study. This requires a separate *Authorization for Release of Records* with the potential sponsor as the "subject" of the records per the form.

Additionally, HHS is filing a motion for a continuance with the immigration court this afternoon. We have mailed the motion to you (b)(6) (see attached). It is our position that the government's interest would better be represented by DHS as the youth is aging out the day after the hearing at which point he would be transferred to DHS custody.

Thanks,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
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Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

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(202) 401-1022 (F)

From: (b)(6)@caircoalition.org]
Sent: Friday, July 21, 2017 11:09 AM
To: Biswas, Toby R M (ACF)
Cc: (b)(6)@caircoalition.org; Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mansilla, Jessie (ACF); Fink, David (ACF); Karine Noncent Shaw
Subject: Re: Bond hearing next week - FW: Time-sensitive: (b)(6)

Hello,

Thank you for your quick response. We did receive the subject child's permission to receive the home study as part of our ORR file request but it appears that the report, along with any significant incident reports, were omitted from the file we received.

The immigration judge granted the hearing for July 26th at 4 pm in order to provide ORR appropriate notice of the child's intent to request a review of his current placement. As you mentioned, this is a new process for us as well and we understand that all parties are figuring out the best way to proceed. We made the request because our client wishes to have the opportunity to present his experience to the immigration judge even though the hearing is right before his 18th birthday.

If you have any additional questions or concerns, please don't hesitate to reach out to me and my colleague Karine Noncent cc'ed here, she will be handling the hearing on Wednesday.

Thanks,

(b)(6)

On Fri, Jul 21, 2017 at 7:31 AM, Biswas, Toby R M (ACF) <Toby.Biswas@acf.hhs.gov> wrote:

(b)(6)

(b)(6)'s out office listed you as her point of contact. See below.

Thanks,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)

(301) (b)(6) (C)

(202) 401-1022 (F)

From: Biswas, Toby R M (ACF)

Sent: Thursday, July 20, 2017 9:56 PM

To: (b)(6) '@caircoalition.org'

Cc: Haron, Judith (HHS/OGC); Suh, Victor (HHS/OGC) (ACF) (CTR); Mansilla, Jessie (ACF); Fink, David (ACF)

Subject: FW: Bond hearing next week - FW: Time-sensitive: (b)(6)

(b)(6)

Good evening. I received your email below from Jessie. As you noted this is a new process for all parties involved so thank you for your patience. At this time Judith (Judy) Haron and I will be representing HHS in this matter. We are trying to determine the appropriateness of a bond hearing involving HHS as a party when the youth will age out of HHS custody the day after the planned hearing.

As for the question about the Home Study report, did you receive the subject of the home study's permission for the home study when you submitted your *Authorization for Release of Records*?

Thanks,
Toby

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)

(301) (b)(6) (C)
(202) 401-1022 (F)

From: (b)(6)@caircoalition.org]
Sent: Thursday, July 20, 2017 3:51 PM
To: Mansilla, Jessie (ACF)
Cc: (b)(6)
Subject: Time-sensitive: (b)(6)

Dear Jessie,

(b)(6) who is presently at Shenandoah, is scheduled for a Flores custody redetermination hearing on 07/26/17 at 4pm. At the hearing, (b)(6) entered appearance on (b)(6)'s behalf and was told by DHS that ORR will be appearing on the 26th, and not ICE. As this type of hearing is very new, we are following up with two questions and a logistical request.

Could you please advise who in ORR will be the point of contact for the hearing? We'd like to coordinate with that person to ensure that the hearing (which is at the end of the day on the 26th) is an efficient and child-friendly forum. Judge Bryant and DHS were unaware who would appear on ORR's behalf.

Additionally, we made an ORR file request for (b)(6)'s whole file, including his Home Study. Unfortunately, the files we received in reply did not include the Home Study Report. (I attached our request and response.) Could you please share it with my colleague (b)(6) CC'd?

Last, we'd like to request that (b)(6) appear in person to his hearing on the 26th. The hearing is scheduled as an individual hearing, and could last up to two hours. As customary with these individual hearings, we ask that (b)(6) appear in his own clothes, and without soft or hard restraints.

Thank you,

(b)(6)
Staff Attorney
Detained Children's Program
Capital Area Immigrants' Rights (CAIR) Coalition
1612 K St NW, Suite 204, Washington, DC 20006
Direct: (202) 899-8614
Fax: (202) 331-3341
Pronouns: She/Her/Hers

--

(b)(6)

Program Director
Detained Children's Program
Capital Area Immigrants' Rights (CAIR) Coalition
1612 K Street, N.W., Suite 204
Washington, D.C. 20006
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Visit our website at www.caircoalition.org.
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Catalogue for Philanthropy "One of the Best"

--
(b)(6)
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Fax: (202) 331-3341
(b)(6) [@caircoalition.org](mailto:(b)(6)@caircoalition.org)



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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Gregg, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>" |
| Sent Date: | 2017/07/27 07:43:24 |
| Delivered Date: | 2017/07/27 07:43:25 |

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| From: | Kurkky, Brian (ACF) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FAEE3BCD11CA4D88B8E39A7A6A4B49E0-KURKJY, BRI> |
| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| CC: | "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>" |
| Subject: | Clearance 1 of 2: Sustainable Health Agenda for the Americas (2018-2030). |
| Date: | 2017/08/11 10:27:35 |
| Priority: | Normal |
| Type: | Note |

Hi Scott,

This is the first of the two clearances that I just mentioned, Exec Sec would like our response by noon. Policy had no comment. Do you have any comments on the attached docuemnts?

Best,

Brian

Brian Kurkky

Special Assistant to the Deputy Director for Children's Programs

Office of Refugee Resettlement

U.S. Department of Health & Human Services

Office: (202) 260-1249

brian.kurkky@acf.hhs.gov

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| Sender: | Kurkky, Brian (ACF) (CTR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FAEE3BCD11CA4D88B8E39A7A6A4B49E0-KURKJY, BRI> |
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| Sent Date: | 2017/08/11 10:27:30 |
| Delivered Date: | 2017/08/11 10:27:35 |

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| To: | "ACF - All ACF Staff </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=36fef8f2006c44b092c998bc7e0c4b79-ACF - All A>" |
| Subject: | ACF Media Clips for Aug 15, 2017 |
| Date: | 2017/08/15 12:00:28 |
| Priority: | Normal |
| Type: | Note |

ACF Media Clips for Aug 15, 2017

Children, Youth & Families

Coming into Focus: States can and must ensure school stability for youth in foster care

One of the most exciting recent developments in the field came in December 2015, when Congress passed the Every Student Succeeds Act ("ESSA"), which includes provisions about child welfare and education agencies' responsibility to ensure and prioritize school stability for all children and youth in foster care.

Opinion

Chronicle of Social Change, CA

Aug. 15, 2017

Number of Montana kids in foster care sets record, homes for less than one in three

In 2015, the number of children in Montana's foster care system had spiked to an all-time high, but new number released last week show things are even worse today.

KGVO, MT

Aug. 14, 2017

Some Louisiana foster parents could present danger to kids

An audit of the state's foster care program unveiled some surprising shortcomings. Karen Leblanc with the legislative auditor's office says they found not all foster care providers had the required criminal background checks. They either had no check, or they were not completed in a timely manner.

WWL, LA

Aug. 14, 2017

Foster child says she reported abuse of grace packer years before her murder

The woman who spoke to NBC10 Monday is the third person who claimed they witnessed Grace Packer being abused and reported it to the Impact Project, a foster care agency.

WCAU, PA

Aug. 14, 2017

Supply of foster homes doesn't meet demand for Sacramento youth

The stakes are high. Among children who ‘age out’ of foster care, by age 22, more than 65 percent of young women are pregnant or have had a child; more than half are homeless, imprisoned or dead; and more than half haven’t completed high school, Herne said.

Opinion

KXTV, CA

Aug. 14, 2017

Stop putting PC ideology before the needs of foster kids

It’s surely true that not everyone is fit to take in a child who has been abused, neglected or abandoned. Yet instead of focusing on real issues of child safety, they’re pushing their own social agenda.

Opinion

New York Post, NY

Aug. 14, 2017

Abstinence-only sex ed gets an amen from Trump, N.J. congressman

In New Jersey, teen births declined about 37 percent from 2011 to 2015. The downward trend is not because teens are having less sex, studies show; it's because they are using more contraceptives. Which is a goal of these programs: to teach not just about abstinence, but also safe sex and sexually-transmitted diseases.

Editorial

Newark Star-Ledger, NJ

Aug. 14, 2017

Data will help DSS guide families

According to N.C. Department of Health and Human Services, the system being developed will keep foster and other vulnerable children safer by centralizing information in a statewide repository, reducing paperwork and streamlining the flow of information between county social services departments.

Richmond County Daily Journal, NC

Aug. 14, 2017

Democrats blast President Donald Trump for defunding Planned Parenthood sex-ed programs

The Trump administration is scaling back funding for a sex education program that started in 2010 under President Obama. The 81 Teen Pregnancy Prevention grantees were supposed to receive \$200 million through 2020, but were informed by the Department of Health and Human Services last month that the money would dry up in June 2018.

Opinion

Life News, NY

Aug. 14, 2017

Why are there more maternal deaths in the U.S. than in other advanced nation?

Prospects are grim for improving health outcomes for pregnant women and those in childbirth because of the Trump administration’s \$213 million in cuts for teen pregnancy programs, combined with efforts to defund Planned Parenthood, where more low-income women receive contraceptive and prenatal care than abortions.

Editorial
St. Louis Dispatch, MO
Aug. 13, 2017

Child Support

Onslow child support takes proactive approach

The name outside the building of the child support office serving Onslow County says a lot about the work that goes on inside. The word enforcement is no longer part of the agency title, Child Support Services of North Carolina. Enforcement of child support orders is only part of what they do and Onslow County Project Manager Tammy Pearson wants community members to know their doors are open to anyone who needs assistance with a child support issue.

Jacksonville Daily News, NC
Aug.15, 2017

Butler County child support offering amnesty program

In honor of Child Support Awareness Month, which is in August, the CSEA is offering parents an opportunity to get their driver's licenses back by paying one month of support instead of the normal requirement of three months.

Hamilton Journal-News, OH
Aug.15, 2017

Onslow Child Support Services helping send kids back to school

August is National Child Support Awareness Month and as part of their outreach efforts the office's staff has taken on a project to help local children get ready for their return to school. A table full of school supplies and backpacks sits at the entrance of the room where case specialists work; all the items collected and ready to be distributed as part of the Backpacks to School project.

Jacksonville Daily News, NC
Aug.15, 2017

New child support guidelines effective September 15, 2017

New child support guidelines have been issued by Chief Justice Paula Carey, which go into effect on September 15, 2017. The new guidelines apply to all child support orders issued after that date.

JD Supra, CA
Aug.14, 2017

AG Hood recognizes Child Support Awareness Month

The goal of the month is to focus on informing families on the services dedicated to helping children receive support from both parents. Government agencies and non-profits from all over the United States are participating in the national month of recognition.

WJTV, MS
Aug.14, 2017

Community Services

More than 200 attend conference to learn about issues facing seniors (featuring ACF)

Casey said the current proposed federal budget call for cuts to key programs and elimination of others, such as Meals on Wheels, Community Development Block Grants, and LIHEAP — the Low-Income Home Energy Assistance Program.

Wilkes-Barre Times-Leader, PA

Aug. 14, 2017

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Family Assistance

Perdue cites data on immigrant households benefiting from social welfare programs

(featuring ACF)

Using data from the Census Bureau's Survey of Income and Program Participation, the study found that in 2012, 51 percent of immigrant-headed households (living here legally or illegally) reported having used at least one welfare program during the year, compared with 30 percent of native-born households. The study factored in the following programs: Supplemental Security Income (SSI); Temporary Assistance for Needy Families (TANF); Women, Infants, and Children food program (WIC); free or subsidized school lunches; Supplemental Nutrition Assistance Program (SNAP, previously known as the Food Stamp program); Medicaid, and public housing and rent subsidies.

Opinion

Politifact, DC

Aug. 14, 2017

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Head Start

NASD receives state funding for Head Start, pre-k programs (featuring ACF)

Northampton Area School District has received approval and funding for a Head Start and two pre-kindergarten programs. District Superintendent Joseph Kovalchik informed the school board at Monday evening's meeting the Head Start and two pre-kindergarten programs will cost the district nothing.

WFMZ, PA

Aug. 15, 2015

-

More funding needed to expand Head Start program (featuring ACF)

If local and national elected officials truly cared about the quality of public education, they would work to find the money and other resources needed to expand the Head Start Program.

Opinion

Pacific Daily News, Guam

Aug. 14, 2017

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Refugee Resettlement

Within 7 years, refugees are self-sufficient and contributing to the US , on average

How well do refugees integrate into local U.S. communities? Are they an economic burden or boon? We examined these questions for refugees resettled in the city of Philadelphia between

2000 and 2015. Our findings suggest that within a handful of years after arriving, quite a few refugees are doing as well as or perhaps better than the average Philadelphian, according to basic economic indicators. Within seven years, refugees reach a higher median income and lower use of food stamps than their neighbors. They develop language competency fairly quickly, and remain active in the workforce, buoying the local economy.

Analysis

Washington Post, DC

Aug. 15, 2017

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Trafficking

Sex traffickers use social media to trick aspiring models, experts say

An estimated 20.9 million people are currently “trapped in jobs into which they were coerced or deceived and which they cannot leave,” according to the International Labor Organization’s Global Estimate of Forced Labor. And, sadly, predators of young women are finding it easier than ever to capture their prey, thanks to social media apps like Instagram that models use to promote their careers.

Fox News, NY

Aug. 15, 2017

Training doctors, nurses to identify human trafficking victims

The Attorney General's Office says many human trafficking victims interact with doctors and nurses while they're being trafficked, so they got Wayne State University's School of Medicine and the Wayne County Medical Society on board to create the training video. It's intended to explain the crime, teach them how to approach a potential victim and get the victim help. The 3rd District created a Human Trafficking Task Force a little over six to eight months ago. Since then, they've been working to train employees at the hospitals in Genesee and Shiawasee counties.

WJRT, MI

Aug. 14, 2017

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Is your teen at risk for human trafficking?

The Modesto Police Department advises families to be alert to a different kind of “traffic” risk: human trafficking. The department joined with the Modesto-based nonprofit organization Without Permission to produce a video that notes a rise in high school-age victims and provides parents with “tools and advice” to protect their children.

Modesto Bee, CA

Aug. 14, 2017

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Unaccompanied Alien Children

How Central American youth test outdated US immigration laws

Pence knows that Central American children have been fleeing to the United States. But he should also recognize the staggering scale of this wave, and what’s behind it. Understanding both is key to creating policy that can prevent surges like this in the future. First, it’s important to grasp the scale of this movement of people. From 2011 through the end of last year, 178,825

minors from El Salvador, Honduras, and Guatemala were apprehended by the U.S. border patrol while traveling without adult relatives and without a visa.

Opinion

Americas Quarterly, NY

Aug. 15, 2017

The Trump administration is detaining immigrant kids for gang membership without evidence. So we sued. (featuring ACF)

In testimony in the case of (b)(6) one of the children involved in our class action suit, an ORR official admitted that the agency had conducted no meaningful review to examine ICE's "evidence" to justify the child's jailing. They did not contact the child's parents or attorneys to notify them of the child's whereabouts. They held no hearing over their decision to incarcerate the child. Instead, within hours of receiving an email from ICE, with unsubstantiated evidence of gang affiliation, ORR decided to send the child to a secure detention facility across the country.

Opinion

ACLU Blog, NY

August 14, 2017

CAIR Coalition pioneers first Flores bond hearing, challenging the detention of one unaccompanied child for nearly 300 days (featuring ACF)

Last month, the Ninth Circuit issued a ruling that affects all unaccompanied minors in detention. The Court decided that children have the right to a hearing challenging their continued detention, as determined by a nationwide settlement agreement in 1997. This decision has a tangible impact on the lives of children in prolonged secure detention. CAIR Coalition's Detained Children's program represented one such detained child last month in a hearing challenging his continued detention and separation from his mother, who was seeking his release.

Opinion

Capital Area Immigrants' Rights Coalition, DC

Aug. 14, 2017

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| Sent Date: | 2017/08/15 11:57:36 |
| Delivered Date: | 2017/08/15 12:00:28 |

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| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>" |
| Subject: | ORR Weekly Litigation Update |
| Date: | 2017/08/18 12:30:28 |
| Priority: | Normal |
| Type: | Note |

I have attached the weekly litigation update. We have added bond hearings to this weekly update.

UAC litigation. In *Gomez v Sessions* ("AH" habeas case), the plaintiff filed an amended complaint and ORR received plaintiffs' requests for production of documents. In *Flores* (bond hearings), government defendants filed a motion to extend the deadline for petitioning for rehearing *en banc* until 9/20/17 (current deadline is 8/21).

Refugee litigation. In *Indiana*, plaintiff Exodus Refugee Immigration, Inc. filed an unopposed motion for extension of time, until 8/31/17, to file for summary judgment. In *Oregon*, the court granted defendants' unopposed motion for extension of time to file a response to plaintiff's Motion to Dismiss (reply due 9/12/17).

UAC Bond hearings. There are 21 outstanding requests from UACs to file bond hearings (see last table in tracker). This week, there were:

- 6 bond hearings: 4 requests were withdrawn in court; 1 request was transferred to another jurisdiction for later scheduling; and for 1 request, ORR submitted a letter stating it did not consider the UAC to be a danger.
- 2 family reunifications, which removed the need for bond hearings.
- 2 cases in which UACs requesting hearings were ordered removed.

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>" |
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| Subject: | ORR Litigation Update |
| Date: | 2017/08/31 13:42:38 |
| Priority: | Normal |
| Type: | Note |

I have attached this week's litigation update (including bond hearings).

UAC litigation. In *Gomez* (AH habeas case), there was a case management conference, with a status report due by today, 8/31. In *Flores* (bond hearings), the 9th Circuit assigned a case number and briefing schedule as to a petition for en banc rehearing (petition to be filed by 9/20/17). In "Nash" (FOIA litigation related to the Juvenile Referral Program; aka "footguides"), ORR filed a letter requesting rolling production of remaining documents after 10/2/17 deadline; ACLU consented to extension of original deadline of 9/1 to 10/2, but opposes any additional extension.

Refugee litigation. In *Indiana*, the plaintiff Exodus Refugee Immigration, Inc. filed a Motion for Summary Judgment on 8/24. In *Tennessee*, on 8/28 the State filed a Reply related to Federal defendants' Motion to Dismiss.

UAC bond hearings. There were no bond hearings this week. As of today there are 18 outstanding bond hearing requests. Of these:

- 1 telephonic hearing was scheduled for 9/1 in Phoenix, but the minor is being reunified today (8/31), so the hearing will be cancelled
- 3 hearings are scheduled for next week (2 in Arlington, VA; 1 in Houston, TX—though with the flooding the status of this case is uncertain)
- 1 hearing is scheduled in San Francisco, CA for 9/18
- 6 motions were mailed to the New York immigration court last week. We are following up with the court there regarding scheduling.

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
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| Sent Date: | 2017/08/31 13:42:34 |

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| From: | Hooban, Christopher (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0D8AB8934E224043B4CC647057823486-HOOBAN, CHR> |
| To: | <p>"Garza, Roberto (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4838358d6792484d92f4f877295140be-Garza, Robe>";</p> <p>"Applegate, Allen (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2807fe61d8a64954a391b9ccaeff184a-Applegate,>";</p> <p>"Barlow, Amanda (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0889c0c2ffb042afaedcfb6c76e2a8fd-Barlow, Ama>";</p> <p>"Dugan, Meghan R. (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a36b343c5114405c859835aacc0b1235-Dugan, Megh>";</p> <p>"Duran, Mishaela (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b6b0d38e302342de95024fc7b1956b49-Duran, Mish>";</p> <p>"Gnipp, Gregg (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b07ccff1ca5f45f3ba9332e64ac9f553-Gnipp, Greg>";</p> <p>"Goldhaber, Ben (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a113ff263048431595248a2b6f99e93e-Goldhaber,>";</p> <p>"White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>";</p> <p>"Hooban, Tala (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc1590dcc77b438a88278a9587822546-Tala Hooban>";</p> <p>"Jones, Robin (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=20fbb21215924f65b0fb8c290ea780f6-Jones, Robi>";</p> <p>"Kurkijy, Brian (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=faee3bcd11ca4d88b8e39a7a6a4b49e0-Kurkijy, Bri>";</p> <p>"Marriott, Brian (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4ae7a85e29e243969fd8c7803b2af592-Marriott, B>";</p> <p>"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>";</p> <p>"Monroe, Johnathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af26f4b43ebb491f92c357f895a07695-Monroe, Joh>";</p> <p>"Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>";</p> <p>"Pilato, Anna (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=77e6b2c93f9a436b802687f05b2ae74f-Pilato, Ann>";</p> <p>"Powers, Mary (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99f1a17205104715b088b389466beae6-Powers, Mar>";</p> <p>"Russell, Elizabeth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=916d756f38964634bba542d79f1e1e30-Russell, El>";</p> <p>"Ball, Harvey (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d8e141ada79849f6824775695e71bbf3-Ball, Harve>";</p> <p>"Simmons, Joann (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c1ec3c59abe64be9b2b46ff1732382d3-Simmons, Jo>";</p> <p>"Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>";</p> <p>"Vineyard, Michael (OS/ASPR/OEM) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userdcac6abd>";</p> <p>"Wagner, Steven (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3cec05da51ab4c7c978051f08d947637-Wagner, Jam>";</p> <p>"Wallace, Monte (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=974add444311451397ee9e7ab83a2a39-Wallace, Mo>";</p> <p>"White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddeec4d87-Jonathan Wh>";</p> <p>"Thomas, Joyce (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd83ddfaccbab4a0ea20adcd186d7308b-Thomas, Joy>";</p> <p>"Hatch, Nikki (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f615f363194c45e0b26c1484f0115087-Hatch, Nikk>";</p> <p>"Karpovich, Glen (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d32b6ecab5ee462e839376652a86dd2c-Karpovich,>";</p> <p>"Everson, Ms. Suzanne (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aa48ae7160754c6b839ae42831923019-Everson, Su>";</p> |

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| CC: | "ACF hswatchofficer </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5dff9b54956d44918c46bf2edb33a4fa-hswatchoffi>" |
| Subject: | RE: Upcoming Emergency Repatriation briefing on Thursday 9/7 from 11am to 12pm in Switzer Rm 4323/4401 |
| Date: | 2017/09/05 12:10:32 |
| Priority: | Normal |
| Type: | Note |

All,

Good morning. Please find attached the read-ahead materials (which some of you already have received hard copies of) for the 7 SEPT. The attached documents include:

- Tabletop Exercise Overview
- ACF Repatriation Program Fact Sheet
- After Even Analysis Haiti
- ACF Repatriation Internal Guide
- ACF NERP Base Plan (DRAFT)
- ACF NERP Operational Guide
- Internal Procedural Manual (Internal Financial Management Guide)
- ACF/ASPR MOU
- List of POEs
- Sample DOS Notification

- Notice to Activate State Plan

The participant list is also included. In it you will find what your identified role is for the exercise on 14 SEPT. Thank you for your time.

Chris Hooban, MS, MPH

Preparedness & Community Resilience Coordinator
Office of Human Services Emergency Preparedness
and Response (OHSEPR)
Administration for Children and Families (ACF)
U.S. Department of Health and Human Services

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Christopher.Hooban@acf.hhs.gov

From: Garza, Roberto (ACF)

Sent: Tuesday, September 05, 2017 11:17 AM

To: Applegate, Allen (ACF); Barlow, Amanda (ACF); gregg.davis@acf.hhs.gov; Dugan, Meghan R. (ACF); Duran, Mishaela (ACF); Garza, Roberto (ACF); Gnipp, Gregg (ACF); Goldhaber, Ben (ACF); Naomi.Goldstien@acf.hhs.gov; White, Laura (ACF); Hooban, Christopher (ACF); Hooban, Tala (ACF); Jones, Robin (ACF); Kurkijy, Brian (ACF) (CTR); Lloyd.Scott@acf.hhs.gov; Marriott, Brian (ACF); Monroe, Johnathan (ACF); Moreno, Pedro (ACF); negri.warren@acf.hhs.gov; Pilato, Anna (ACF); Powers, Mary (ACF); Russell, Elizabeth (ACF); Ball, Harvey (ACF); Simmons, Joann (ACF); Tota, Kenneth (ACF); Vineyard, Michael (OS/ASPR/OEM); Wagner, Steven (ACF); Wallace, Monte (ACF); White, Jonathan (ACF); Thomas, Joyce (ACF); Hatch, Nikki (ACF); Karpovich, Glen (ACF); Everson, Ms. Suzanne (ACF); McCormack, Tiffany (ACF); Brown, Charles (ACF); Sample, Allen (PSC/OD); White, Laura (ACF); Wolfe, Kenneth (ACF); Hooban, Christopher (ACF)

Cc: Garza, Roberto (ACF); ACF hswatchofficer

Subject: Upcoming Emergency Repatriation briefing on Thursday 9/7 from 11am to 12pm in Switzer Rm 4323/4401

Dear Colleagues:

As you know, OHSEPR and ORR will co-host an **Emergency Repatriation briefing later this week on Thursday September 7th from 11am to 12 pm EST in Switzer Building, Room 4323/4401**, or via bridgeline for our Regional participants.

This briefing will include essential information that you will need to participate in next week's **Tabletop Exercise on Thursday September 14th from 2-4pm EST in Humphrey Building Rm 505A.**

Everyone is undoubtedly very busy with both end-of-Fiscal Year activities and ongoing Hurricane Harvey response and recovery efforts, but it is also vital that we review ACF's Emergency Repatriation responsibilities through this upcoming briefing and through the subsequent Tabletop Exercise.

I look forward to having you join ACF's Senior Leadership in this activity.

If you have any questions, please let me know.

Respectfully,

R

Roberto C. Garza, MPH, MPA
LCDR, USPHS Commissioned Corps
Acting Director
Office of Human Services Emergency Preparedness
and Response (OHSEPR)
Administration for Children and Families (ACF)
U.S. Department of Health and Human Services
Office (202) 401-9313
Mobile (301) (b)(6)
Roberto.Garza@acf.hhs.gov

From: Garza, Roberto (ACF)
Sent: Thursday, July 20, 2017 1:57 PM
To:
Subject: More information on the upcoming Emergency Repatriation Tabletop exercise

Dear Colleagues:

Two days ago, you received two calendar invites from ORR Director Scott Lloyd to participate in an Emergency Repatriation Tabletop Exercise. The genesis of this activity is a request by Acting Assistant Secretary Steve Wagner, who asked that OHSEPR conduct an exercise in close collaboration with ORR. ORR administers the Repatriation Program, and although a 2016 Memorandum of Understanding with the Assistant Secretary for Preparedness and Response (ASPR) reassigned operational coordination for Emergency Repatriation to ASPR, ACF still has significant responsibilities in an Emergency Repatriation event.

The overall goal of this exercise will be for ACF Senior Leadership to carefully review and, through an exercise that simulates a real life event, understand the key decisions and issues that we would encounter during a mass Emergency Repatriation event declared by the State Department.

The first invite is for a one hour briefing on Thursday, September 7th from 11am to 12pm. During this briefing, exercise participants will be provided a background on Emergency Repatriation and ACF's responsibilities in an Emergency Repatriation event, as well as providing information you will need to participate in the exercise itself.

The second invite is for a two hour Tabletop exercise on Thursday, September 14th from 2-4pm. During the exercise, the design team will present the participants with the Emergency Repatriation scenario, and then lead an active dialogue as the group moves through the simulation, working together to resolve issues and make key decisions. Throughout the exercise, the design team will include observer/evaluators and note takers who will capture lessons learned and areas for further consideration.

Background information and read-aheads will be provided in the coming days.

The exercise will be prepared by a trained exercise design team from OHSEPR and ORR.

Your participation is very important to the success of ACF's efforts to be prepared for future Emergency Repatriation events. Because repatriations are infrequent events that happen on short notice, but are critical to the safety and well-being of American citizens and their dependents abroad, it is our goal that ACF's learning experience happen in this exercise, rather than in a real-world event. Please save these times on your schedule.

If you have any questions, please don't hesitate in letting me know. I would be more than happy to meet with you to discuss this important event further.

Best regards,
Roberto

Roberto C. Garza, MPH, MPA
LCDR, USPHS Commissioned Corps
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and Response (OHSEPR)
Administration for Children and Families (ACF)
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| Sender: | Hooban, Christopher (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0D8AB8934E224043B4CC647057823486-HOOBAN, CHR> |
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Megh>";

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"Powers, Mary (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99f1a17205104715b088b389466beae6-Powers, Mar>";

"Russell, Elizabeth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=916d756f38964634bba542d79f1e1e30-Russell, El>";

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"Everson, Ms. Suzanne (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aa48ae7160754c6b839ae42831923019-Everson, Su>";

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"Brown, Charles (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=11bf2d3741eb40219566ea6794324243-Brown, Char>";

"Sample, Allen (PSC/OD) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=649a4d3942514c22a23faa8f6f6342e4-Sample, All>";

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| Delivered Date: | 2017/09/05 12:10:32 |
| Message Flags: | Unread |

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| To: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Johnson, James (OS/ASA/OSSI) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2d3a8fbf4362481382da828adcf9cdda-Johnson, Ja>"; "Brucklier, April (HHS/OSSI) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1d48f0cebea749e783b2147582e5f4a8-Brucklier,>" |
| CC: | "Schmoyer, Michael (OS/OSSI) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user57698e56>" |
| Subject: | FW: UAC Statistics Update |
| Date: | 2017/09/05 13:39:46 |
| Priority: | Normal |
| Type: | Note |

FYSA ensuring you all saw this.

V/r

Brett

CDR Brett Maycock, USPHS
Acting, Associate Deputy Assistant Secretary
Office of Security and Strategic Information
U.S. Department of Health and Human Services
(O) 202-260-7509 / (C) 202-(b)(6) / (S) 936-2131

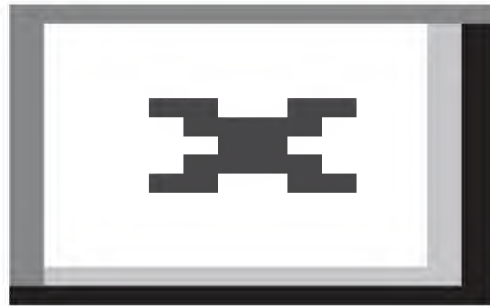
Unclassified E-Mail: Brett.Maycock@hhs.gov
SIPR/HSDN: Brett.M.Maycock@dhs.sgov.gov
JWICS: MaycockB@esp.ic.gov

From: Koren, Elizabeth [mailto:Elizabeth.Koren@fema.dhs.gov]
Sent: Tuesday, September 05, 2017 1:31 PM
To: Lapinski, Michael; Chisolm, Daymone; Martinez, Terry; White, Eric; Agnew Jr, Theodore; Jackson, Daphine; Blaz, Christopher; Wilson, Ian; Soucie, Eric
Cc: Macintyre, Anthony (DHS.GOV); Maycock, Brett (OS/OSSI); Vineyard, Michael (OS/ASPR/OEM); TWYFORD, DONNA L; McIntosh, Paul; Pack, Eddie; Harris, Ulister; Nicorvo, Richard H; Parker, Robert; Toomey, Lauren (OS/ASPR/OEM); Davis, Gregory (ACF); Raines, Russ C CAPT USN OSD OUSD POLICY (US); Ignazzitto, Joseph V (Joe) II COL USARMY OSD OUSD POLICY (US); gerald.d.wright1.ctr@mail.mil; Wright, Gerald D (OGA); Salazar, Roberto R; Russell, Maureen (CTR); Roessner, Acadia
Subject: UAC Statistics Update

Good afternoon,

Many of you remain activated in support of Harvey/Irma; however, I've been getting daily questions about UAC trends and analysis. For everyone's situational awareness, I've updated the UAC Statistics (attached). Based on today's ACF report, they are at 70% capacity. Note also that although the August referrals were up 21% over previous month, discharges kept pace (up 20% over past month).

I'm also pleased to attach the final updated UCG Plan for your records.



Please let me know if you have suggestions for additional analysis.

V/r,

Elizabeth Koren

Elizabeth J. Koren, Esq.
Future Planner, Response Directorate
Federal Emergency Management Agency
U.S. Department of Homeland Security

202 (b)(6) - iPhone
619 (b)(6) - additional cell

Elizabeth.Koren@fema.dhs.gov

This communication, along with any attachments, is covered by Federal and state law governing law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.

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| Sender: | Maycock, Brett (OS/OSSI) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=76CA0D1EEC684A738C86BD00D390C96F-MAYCOCK, BR> |
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| Delivered Date: | 2017/09/05 13:39:46 |

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| To: | "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>" |
| CC: | "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>" |
| Subject: | FW: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum "Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee Resettlement and its Grantees" is ready for Steve Wagner's review and approval. |
| Date: | 2017/09/06 09:29:38 |
| Priority: | Normal |
| Type: | Note |

Hi AMB,

Based on your comments that nothing substantive changed in the attached document that Scott has already reviewed and cleared, he does not need to review the changes. He approved for us to send this forward to OLAB.

Thanks,
Laura

From: Bena, Anna Marie (HHS/OGC) (ACF)
Sent: Monday, August 28, 2017 1:26 PM
To: White, Laura (ACF)
Cc: Biswas, Toby R M (ACF)
Subject: FW: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum "Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee Resettlement and its Grantees" is ready for Steve Wagner's review and approval.

Laura,
This is the OIG 5 questions. Do you know how we get it back through clearance? Thanks!
AM

From: Biswas, Toby R M (ACF)
Sent: Monday, August 28, 2017 12:02 PM
To: Bena, Anna Marie (HHS/OGC) (ACF)
Subject: FW: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum "Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee Resettlement and its Grantees" is ready for Steve Wagner's review and approval.

He double checked. Good to go.

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services

Administration for Children and Families
Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)
(301) (b)(6) (C)
(202) 401-1022 (F)

From: Suh, Victor (HHS/OGC) (ACF) (CTR)
Sent: Monday, August 28, 2017 10:38 AM
To: Biswas, Toby R M (ACF)
Subject: RE: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum "Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee Resettlement and its Grantees" is ready for Steve Wagner's review and approval.

Checked. Made two very stylistic minor changes, but otherwise don't see any typos.

From: Biswas, Toby R M (ACF)
Sent: Monday, August 28, 2017 10:21 AM
To: Suh, Victor (HHS/OGC) (ACF) (CTR)
Subject: RE: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum "Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee Resettlement and its Grantees" is ready for Steve Wagner's review and approval.

Victor:

I think this is good. Can you just do one more quality check for typos etc? Hopefully this nightmare will be over soon.

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)
(301) (b)(6) (C)
(202) 401-1022 (F)

From: Biswas, Toby R M (ACF)
Sent: Monday, August 28, 2017 10:12 AM
To: Bena, Anna Marie (HHS/OGC) (ACF)
Subject: FW: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum "Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee Resettlement and its Grantees" is ready for Steve Wagner's review and approval.

What do you think of this layout?

Toby R. M. Biswas, ESQ.

Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)
(301) (b)(6) (C)
(202) 401-1022 (F)

From: Suh, Victor (HHS/OGC) (ACF) (CTR)
Sent: Monday, August 28, 2017 9:50 AM
To: Biswas, Toby R M (ACF)
Subject: RE: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum "Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee Resettlement and its Grantees" is ready for Steve Wagner's review and approval.

Toby,

Please see attached (about the OIG report on the 5 incidents).

I've responded to the comments on the memo by renaming all attachments simply as "Attachment A," "Attachment B," etc. (Note the date field for the memo still remains blank). Also, I combined all attachments (including emails and attachments to emails) in a single PDF. This way the attachments can either be printed from a single document, or navigated in Adobe using the built-in bookmarks.

Thanks,
Victor

From: Owens, Javan (ACF)
Sent: Tuesday, August 15, 2017 9:53 AM
To: Bena, Anna Marie (HHS/OGC) (ACF); Gregg, Laura (ACF)
Cc: Kanodia, Preeti (ACF)
Subject: FW: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum "Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee Resettlement and its Grantees" is ready for Steve Wagner's review and approval.

Anna Marie,

Can you please review the working document, and respond to the questions from the front office. As to the question about the uploading a zip file, my experience has been in the past that OIG sends a link to a confidential portal that one can upload documents to. Is that your understanding as well?

Please let me know if you have any additional questions.

Javan

From: Akers, Ms. Mary (ACF)
Sent: Monday, August 14, 2017 5:29 PM

To: Logan, Scott (ACF); Owens, Javan (ACF); Kanodia, Preeti (ACF); Davis, Ms. Cynthia (ACF)
Cc: Cottingham, Kenneth (ACF)
Subject: SWIFT: 081120172004 - The attached draft ACF response to the OIG Memorandum
"Safety Incidents Related to Unaccompanied Children under the Care of the Office of Refugee
Resettlement and its Grantees" is ready for Steve Wagner's review and approval.

I have revised the memo to Joanne M. Chiedi, the Principal Deputy Inspector General, regarding the Safety Incidents Related to UC and would like your approval on the revision. I also have several questions that I hope you can help me with.

(b)(5)

Thanks for your help. Please let me know if I need to clarify my questions.

Mary

Mary Akers
Management Analyst
Executive Secretariat
Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street, SW.
Washington, DC 20201
202-401-6965
Mary.Akers@acf.hhs.gov

| | |
|------------------------|---|
| Sender: | White, Laura (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2E7FF3F1D0BA483990C0F80827410056-GREGG, LAUR> |
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| Sent Date: | 2017/09/06 09:29:32 |
| Delivered Date: | 2017/09/06 09:29:38 |

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| From: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| To: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>" |
| Subject: | ORR Weekly Litigation Update |
| Date: | 2017/09/07 16:03:58 |
| Priority: | Normal |
| Type: | Note |

I have attached the weekly litigation update.

UAC litigation. In *Gomez* (habeas case), the parties held a Case Management Conference to resolve discovery issues on 9/1, and filed a Proposed Order on 9/6. In *Flores* (bond hearings), the government appellants filed a USDHS Mediation Questionnaire with the 9th Circuit on 9/5. In “Nash” (FOIA litigation regarding JRP program), the parties held an interim pre-trial conference on 9/6.

Refugee litigation. There were no substantive updates to refugee litigation this week.

Bond Hearings.

- To date, there have been 27 bond hearings:
 - 3 hearings leading to IJ decisions (all agreed with ORR recommendations)
 - 14 UACs who requested bond hearings who subsequently withdrew their requests (either before or during their hearings)
 - 10 UACs who requested bond hearings but no longer require them because they are no longer in ORR custody (e.g., because they were subsequently reunified with a sponsor, were ordered removed, aged out, etc.).
- There are 19 outstanding bond requests in the process of filing and scheduling.

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| Sender: | Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01> |
| Recipient: | "ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>" |
| Sent Date: | 2017/09/07 16:03:54 |
| Delivered Date: | 2017/09/07 16:03:58 |

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| From: | Bulletin Intelligence <HHS@BulletinIntelligence.com> |
| To: | "HHS@bulletinintelligence.com" |
| Subject: | HHS News Briefing for Wednesday, September 13, 2017 |
| Date: | 2017/09/13 07:34:47 |
| Priority: | Normal |
| Type: | Note |

HHS NEWS BRIEFING

This document and searchable archives are available at hhs.bulletinintelligence.com.

TO: THE SECRETARY AND SENIOR STAFF

DATE: WEDNESDAY, SEPTEMBER 13, 2017 7:30 AM EDT

TODAY'S TABLE OF CONTENTS

LEADING THE NEWS:

- + Census Data Show US Uninsured Rate Fell To 8.8% In 2016.
- + Pelosi Declines To Endorse Sanders' "Medicare For All" Bill.

THE SECRETARY IN THE NEWS:

- + Price Discusses Relief, Recovery Efforts Following Hurricane Irma.
- + House Dems Urge Price, Verma To Provide Funding For ACA Navigator Programs.
- + WPost: Price Undermined Test Of New Medicare Payment Model Meant To Save Government Money.
- + Opinion: Opposition To Medical Treatment For Opioid Abuse Stems From "Lack Of Imagination."
- + Opinion: Opioid Emergency Must Be Skillfully Managed To Avoid "Money Grabs."
- + National Science Foundation Awards Georgia Tech Partnership \$20 Million Grant For New Engineering Research Center.

HHS IN THE NEWS:

- + Researchers Find Potential Link Between Flu Shot And Miscarriage Early In Pregnancy.
- + Former CDC Director Frieden Discusses New Global Health Project Focused On Heart Disease, Epidemics.
- + CDC Warns Employees To Avoid Speaking To The Media.
- + Philip Morris International To Give \$1 Billion To Fund Research.
- + FDA's 510(k) Review Process Fails To Find Major Glitches In Health Software, Study Finds.
- + FDA Intends To Close Orphan Drug Loophole Allowing Companies To Avoid Testing Drugs For Children.
- + Hiltzik: Pharmaceutical Lawsuit Underscores Problems With Industry Regulations.
- + House, Senate Committees Reject Trump's NIH Budget Cuts.
- + Opera Singer Discusses How Music Affects Brain Activity.
- + NIA Committee Issues Recommendations On Alzheimer's Testing.
- + USPSTF Issues New Draft Guidelines For Cervical Cancer Screening.
- + USPSTF Offers Updated Recommendations Saying Women Can Choose Pap Smear Or HPV Test For Cancer Testing.
- + Oklahoma Nursing Facility Reaches Agreement With HHS Over Discrimination Case.
- + HHS Says ACA Data Not Compromised In Equifax Breach.
- + Hospital Groups Urge CMS To Withdraw Proposal To Slash 340B Medicare Drug Payments.

HEALTH REFORM:

- + Alexander Insists Bipartisan ACA Stabilization Measure Will Preserve Patient Protections.
- + Alexander Acknowledges "Significant Differences" Between Dems, GOP Working On ACA Stabilization Measure.
- + Some Members Of Congress Seek To Shore Up ACA Marketplaces.
- + GOP Reportedly At Odds About Whether To Stabilize Or Repeal ACA.
- + Hatch Calls Current Efforts To Stabilize ACA Marketplaces "A Bailout."
- + "Last-Ditch" ACA Repeal Effort To Be Unveiled Wednesday, Without Leadership Support.
- + Cassidy Says Latest Effort To Repeal ACA Is Not Supposed To Be Partisan.
- + Anthem Mulling Exits From More ACA Marketplaces.
- + Trump Administration Funding Cuts Imperil ACA Navigator Programs In Arizona.
- + ACA Navigators In Tennessee Resorting To Grassroots Methods Following Trump Administration Funding Cuts.
- + BCBS Of Illinois Small Business Plan Will Not Be Offered Through The ACA Exchange In 2018.
- + Insurers Tell Lawmakers How To Stabilize ACA Marketplaces During Senate Committee Hearing.
- + Sanders Could Frame Single-Payer Plan As Litmus Test Or Starting Point.
- + Without CMS Decision, Iowa Insurance Commissioner "Less Optimistic" About ACA Stopgap Plan.
- + Insurer Departures Could Leave 70,000 Virginians Without Individual Coverage Options In 2018.
- + HHS IG Report Says Remaining ACA Co-Ops Not Financially Viable.
- + Handel Overstates ACA Tax Impact.
- + Virginia Lt. Gov. Candidate Supports Single Payer Healthcare.
- + Hatch Warns Against ACA "Bailout" Amid Healthcare Reform Negotiations.
- + Commentary Considers Health Reform.

OPIOID NEWS:

- + Opinion: There Is No Simple Policy Solution To the Opioid Crisis.
- + Most Americans Prefer Non-Drug Pain Treatment, Are Aware Of Opioids' Dangers, Survey Suggests.
- + Rep. Walden Calls On Congress To Boost Efforts Against Opioid Crisis.
- + Blog: Treat Opioid Addiction Like Hospital-Acquired Illnesses.
- + Column: Better Data Needed To Measure True Extent Of Opioid Epidemic.
- + Senate Committee Examines Marketing Practices Of Opioid Companies At Hearing.
- + Opinion: President Trump "Dithers" On Opioid Emergency.

HEALTHCARE NEWS:

- + Centene To Buy New York's Fidelis Care For \$3.75 Billion.
- + Ohio Supreme Court Hears Arguments On State's Effort To Close Abortion Clinic.
- + Lawyers Petition Trump Administration To Protect Pro-Life Clinics Forced To "Promote Abortion" Under State Laws.

HUMAN SERVICES NEWS:

- + Texas, Foster-Care Providers Evacuated, Monitored Foster Children During Harvey.
- + DHHS Responds To Maine Lawmakers' Questions About Treatment Of Disabled Adults.

MEDICARE:

- + Healthcare Providers At Odds Over CMS Proposal For Joint Replacements At Surgical Centers.
- + Provider, Health IT Groups Ask CMS To Waive Restrictions On Telehealth.
- + Ohio's SummaCare, University Hospitals Agree To Co-Brand Medicare Managed-Care Plans.

MEDICAID & CHIP:

- + Senators Strike Deal To Extend CHIP Program.
- + Opinion: Blaming Medicaid For The Opioid Crisis May Be Wrong.

- + Analysis: Trump Continues Funding Of Planned Parenthood By Signing Continuing Resolution.
- + Opinion: Expanding Medicaid In Maine Will Help Hospitals, Economy.
- + Candidate For Colorado Governor Proposes Medicaid-For-All Healthcare Plan.
- + Arizona Supreme Court To Decide Medicaid Expansion Case.
- + Op-Ed: Medicaid Expansion Could Help The Homeless.

HEALTH & MEDICAL NEWS:

- + Sen. McCain To Receive Brain Cancer Treatment At NIH While Continuing Senate Work.
- + Menopausal Hormone Therapy Drugs Appear Not To Increase Risk Of Premature Death, Researchers Say.
- + New Texas School Buses Required To Have Seat Belts.
- + Extended Breastfeeding Can Help Prevent Endometriosis.
- + Shulkin: Canine Research Program Benefits Veterans, Needs Senate's Preservation.
- + Pennsylvania Senator Asks Marijuana Grower To Rescind Lawsuit Over State's Permit Awards.
- + Healthcare Industry Intrigued By Diagnostic Potential Of Artificial Intelligence.
- + Brexanolone Fails To Meet Main Goal In Trial For Patients With Super-Refractory Status Epilepticus.
- + 23andMe Using Customer's DNA Data To Develop New Drugs.
- + Major Healthcare Companies Invest In "Electroceuticals" Startup.
- + California State Assembly Overwhelmingly Passes Drug Pricing Transparency Bill.
- + Prostate Cancer Experts Offer Tips On Screening, Treating Prostate Cancer.
- + Scientists Criticize Study Disputing Anonymity Of Genome Research.
- + Microscopic Particles From Tattoo Ink Can Get Into Lymph Nodes, Study Suggests.
- + At Least 12 Pediatric Heart Patients At New Orleans Hospital Have Infected Incisions, Possibly From Contaminated Equipment.
- + Forbes Contributor Discusses Study Finding Generic Chemo Will Not Help Bring Down High Cost Of Drugs.
- + Excess Belly Fat May Increase Risk Of Some Cancers In Older Women, Study Suggests.
- + HIV Continues To Affect Many, Prompting Calls For Further Testing, Treatment.
- + Harvard Students Warned About Hand, Foot, And Mouth Disease Outbreak.
- + Opinion: Training Nurses' Aides Could Reduce Home Healthcare Costs.
- + Hospitals Using Alert Systems To Cut Back On Unnecessary Care Procedures.
- + Genetic Testing For Parents, Embryos Rising As Prices Fall.
- + Medical Professionals See Innovation In 3-D Printing For Healthcare.
- + Many Moisturizers Marketed As "Hypoallergenic" May Contain Chemical Irritants, Study Finds.
- + Hospitals Implementing Strategies To Reduce ER Wait Times.
- + Telemedicine Heralded As Means Of Helping Pregnant Women Facing Health Risks.
- + Labor Ward Culture May Impact Rate Of C-Sections, Researchers Say.
- + Pregnant Women Exposed To Pesticides May Have Higher Risk Of Delivering Preterm Babies, Study Finds.
- + Florida Assisted Living Facility Houses Patients During Irma Despite Lacking Electricity For Three Days.
- + Shocked Florida Keys Residents Stunned By Irma's Wreckage.
- + Therapeutic Vaccines Offer New Progress For Cancer Treatment.
- + Deaths Due To Cancer Have Fallen But New Diagnoses Expected To Rise, Study Finds.
- + Hospitals Increasingly Encourage Patients To Practice Mobility Prior To Being Discharged.
- + Social Media Becomes Hotbed Of Competition Among Plastic Surgeons Who May Or May Not Have Licenses.
- + Texas Calls On Air Force To Spray Insecticides In Effort To Limit Post-Harvey Mosquito Population.
- + Op-Ed: PBMs Play Essential Role In Lowering Prescription Costs.
- + Opinion: Electronic Medical Records Can Enable Clinical Trials In Physicians' Offices.
- + Pharmaceutical Companies Implement Outcomes-Based Pricing Despite Lack Of Evidence To Show It Lowers Costs.
- + People Continue To Believe Vaccine Myths Despite Being Presented Facts, Study Finds.
- + Ohio's Hospitals, Physicians Fight Bill That Would End Flu Vaccine Requirements.

- + Pitt Researcher To Study Effectiveness of New York's Sepsis Law.
- + Study Finds Cases Of Hookworm In Alabama.
- + Loneliness Can Be Hazardous To Health, Experts Say.
- + Increased Use Of Marijuana By Pregnant Women Spurs Nevada Campaign.
- + Opinion: Payment Methods For Physicians Are Hurting Healthcare.
- + San Diego Hepatitis A Outbreak Leads To 16 Deaths, Shows No Signs Of Slowing.
- + Utah Officials Release Data On Rising Suicide Trend As Part Of Wider Prevention Effort.
- + Lubbock, Texas Confirms Its First West Nile Virus Case Of The Year.
- + US House Passes Bill Calling For Study Of Cancer Among Firefighters.
- + California Bill To Create "Safe Injection Sites" For Drug Users Fails In State Senate.
- + TMS Treatments For Hard-To-Treat Depression Now Much Easier To Get.
- + Screening Mothers For Depression During Early Well-Child Visits May Lead To Significantly Fewer Reports Of Depression At Nine Months Postpartum, Study Says.
- + Experts Puzzled By US Male Infertility Crisis.

GLOBAL HEALTH:

- + Progress On Global Poverty, Disease At Risk, Gates Says.
- + France Plans To Legalize Assisted Reproduction For Lesbians Next Year.
- + Efforts To Contain Northeast Nigeria's Cholera Outbreak Hampered As Refugees Underreport Illnesses.
- + Health Officials Concerned About Reemergence Of Sleeping Sickness In The Democratic Republic Of Congo.
- + UnitedHealth Exploring Bid For Chilean Health Insurer Banmédica.

NATIONAL NEWS:

- + Trump To Travel To Florida Thursday To Survey Hurricane Damage.
- + Florida Lawmakers Seek Federal Aid For Irma Cleanup.
- + More Than 2,000 Americans Evacuated From Caribbean.
- + Florida Pizza Hut Manager Threatens To Punish Employees Evacuating Ahead Of Irma.
- + British Virgin Islands Prisoners Escape In Irma's Wake.
- + Mosquitoes, Toxins In Flood Waters A Growing Concern In Texas.
- + Up To One Million Vehicles Suffered Damage In Harvey, Irma.
- + Latest Forecast Shows Hurricane Jose To Impact East Coast.
- + Job Openings At Record High.
- + Trump To Meet With House Moderates Wednesday.
- + White House: Investigation Of Comey "Should Be Looked At" By DOJ.
- + Trump Says Some Writing About Him "Know Nothing About Me & Have Zero Access."
- + Study: Network Newscasts' Trump Coverage 91% Negative In June, July, August.
- + Bannon Says He Speaks With Trump Several Times A Week.
- + Congress Passes Joint Resolution Urging Trump To Denounce Hate Groups.
- + Gorka: GOP "Did Not Win The Election," Trump Did.
- + White House Says Trump "Stands By" Endorsement Of Strange.
- + White House On Clinton Election Book: Trump "Pretty Well-Versed On What Happened."
- + Jordan Rips WSJournal Over "False Story" On House Freedom Caucus.
- + Zinke Orders Clearing Of Trees To Combat Wildfires.
- + Interior IG Examining Reassignment Of SES Members.
- + Lee Blasts Democrats' Questioning Of Barrett.
- + Voter Fraud Commission Criticized By Its Democratic Members.
- + Attorneys Ask Administration To Protect Pro-Life Clinics Forced To Perform Abortions.
- + Pruitt Denies Icahn Had Excessive Influence In Biofuel Regulation.
- + Energy Department Announces Obama's Solar Goal Met Early.
- + Politico Analysis: Silicon Valley Losing Favor From Both Left And Right.
- + Rep. Duncan Pushes For Gun Silencer Provision.
- + Pair Of Women Testify About Menendez's Alleged Role In Helping Obtain Visas.
- + At Concert, Kid Rock Denounces Racists, Mum On Possible Senate Run.
- + Cruz Says Aide Inadvertently Liked Porn Tweet On Senator's Twitter Account.

- + Poll Shows Romney Faring Much Better Than Hatch In Hypothetical 2018 Race.
- + Political Analyst: GOP House Retirements "Still Below The Historical Average."
- + Steyer's Group Donates \$1M To Virginia Immigrant Advocates To Mobilize Voters.
- + Speculation Grows About Whether Cordray Will Run For Ohio Governor.
- + GOP State AG Schuette Enters 2018 Michigan Governor's Race.
- + Democrat McCabe Launches 2018 Bid To Oust Gov Walker.
- + De Blasio Easily Wins Democratic Primary.
- + Ferguson Drops Charges Against Fred Watson.
- + DOJ Won't Charge Officers In Freddie Gray Case.
- + Seattle Mayor Resigns After Fifth Sexual Abuse Allegation.
- + Loudermilk, Wife Recovering From Car Accident.
- + After More Than 20 Years, Newark Expected To Regain Control Of Its Schools.
- + Nearly 50 Lawsuits Filed Against Equifax.
- + Same-Sex Marriage Advocate Edie Windsor Dies At 88.
- + Milbank: Republicans Will Always Own Trump.
- + Posner: Trump Could Be Removed For Political Incompetence Under Revised 25th Amendment.
- + WSJournal's Riley: DeVos Should Scrap Obama-Era School Discipline Guidance.
- + Ignatius: Media Should Bring Back The Ombudsman.

EDITORIAL WRAP-UP:

- + New York Times.
- + Washington Post.
- + Wall Street Journal.

THE BIG PICTURE:

- + Headlines From Today's Front Pages.

LAST LAUGHS:

- + Late Night Political Humor.

Leading the News:

CENSUS DATA SHOW US UNINSURED RATE FELL TO 8.8% IN 2016. The New York Times (9/12, A1, Appelbaum, Subscription Publication, 13.56M) reports on its front page that according to Census Bureau data which were released on Tuesday, the median household income in the US "was \$59,000 in 2016, an increase of 3.2 percent." The figures also revealed that the percentage of Americans living in poverty decreased. Meanwhile, access to healthcare coverage expanded last year, with data showing that just "8.8 percent of the population lacked health insurance for the full year, down from 9.1 percent in 2015."

The Washington Post (9/12, Long, 10.38M) reports that 2016 was the "highest-earning year" ever recorded for the middle class. The article adds that the continued drop in the uninsured rate was "largely thanks to expanding coverage under the Affordable Care Act."

In contrast, the Wall Street Journal (9/12, Radnofsky, Subscription Publication, 6.45M) reports that the additional decline in the uninsured rate was due to the fact that more Americans reached the age of 65 and became eligible for Medicare. The article says last year's drop is minor compared to larger declines which occurred when the ACA was being implemented.

USA Today (9/12, Davidson, 8.62M) reports that the number of uninsured Americans fell by 900,000 to 28.1 million, while those living in poverty dropped to 40.6 million from 43.1 million, "lowering the poverty rate to 12.7% from 13.5% and placing it just marginally above the prerecession level." The article says these figures indicate that "in the final two years of the Obama administration, low- and middle-income Americans made noticeable progress after struggling in the early years of the economic recovery."

Politico (9/12, Demko, 3.6M) reports that the continued decline in the US uninsured rate “further complicat[es] Republican efforts to dismantle Obamacare.” The article says 2016 “marked the third straight year in which the Census Bureau recorded a drop in the share of Americans without health care coverage.” It adds that before the ACA was fully implemented, “the uninsured rate stood at 13.3 percent.”

The Hill (9/12, Weixel, 1.68M) also reports that these data “further complicate GOP efforts to repeal ObamaCare, which have slowed in recent months.” The piece adds that the uninsured rate of 8.8 percent is “a record low.”

Also covering the story are the Los Angeles Times (9/12, Lee, 4.49M), CNBC (9/12, Mangan, 3.48M), The Hill (9/12, Wilson, 1.68M), NPR (9/12, Kennedy, 2.4M), the Washington Examiner (9/12, Leonard, 465K), Modern Healthcare (9/12, Livingston, Subscription Publication, 238K), and Kaiser Health News (9/12, Galewitz).

Additional Coverage. The Houston Chronicle (9/12, Deam, 1.97M) reports that the uninsured rate in Texas fell “to 16.6 percent last year, continuing a downward trend that corresponds with the beginning of the Affordable Care Act, according to U.S. Census data.” That rate has fallen by 5.5 percentage points since 2013. The Dallas Morning News (9/12, Rice, 984K) reports that despite the decline, “Texas still has the highest rate of people lacking health insurance in the country.” The data show “Texas and Alaska were the only two states” with rates higher than 14 percent. The AP (9/12), the San Antonio Express-News (9/12, Stoeltje, 1.18M) and the Texas Tribune (9/12, Arriaga, 13K) also cover the story.

The Boston Globe (9/12, McCluskey, 969K) reports the share “of Massachusetts residents without health insurance fell again last year, to a new low of 2.5 percent, the US Census Bureau said Tuesday.” That figure was 2.8 percent in 2015, and 3.7 percent in 2013. The article adds, “Massachusetts continues to have the smallest percentage of uninsured residents in the country.”

The Albany (NY) Times Union (9/12, Hughes, 373K) reports the share “of New Yorkers without health insurance dropped to 6.1 percent last year, according to data released by the U.S. Census Bureau on Tuesday.”

The Bangor (ME) Daily News (9/12, Farwell, 162K) reports the number of uninsured Maine residents “held steady in 2016, as the national uninsured rate fell to a record low,” according to the Census Bureau. Data show 8 percent of Mainers, “or 106,000 people, lacked health insurance last year,” which is “down slightly from 8.4 percent in 2015, though within the report’s margin of error.”

The Beckley (WV) Register-Herald (9/12, Holdren, 59K) reports Census Bureau data show “96,000 West Virginians lacked health insurance in 2016 – a decrease of 12,000 from 2015.” The state’s uninsured rate fell from 14 percent in 2013 to 5.3 percent last year.

The Connecticut Post (9/13, Cuda, 199K) reports that according to the Census Bureau, the share “of uninsured people in Connecticut fell from 9.4 percent in 2013 to 4.9 percent in 2016.”

The Chicago Tribune (9/12, Schencker, 1.98M) reports that the number of uninsured people in Illinois “has dropped again – though some worry that trend is about to reverse amid uncertainty over the future of Obamacare.” Census Bureau data show some 6.5 percent of residents (817,000 people) were uninsured last year, compared to about 900,000 in 2015, and 1.6 million in 2013 before the ACA was implemented.

The Charleston (SC) Post and Courier (9/12, Sausser, 269K) reports despite the fact that South Carolina has not expanded Medicaid under the ACA, the state’s uninsured rate dropped to 10 percent in 2016 from 15.8 percent in 2013. The Winston-Salem (NC) Journal (9/13, Craver, 232K)

reports that “the rate could be significantly lower if the Republican-controlled General Assembly approved expanding Medicaid coverage to more than 500,000 of the 1.04 million North Carolinians who still lack health insurance.”

The Newark (NJ) Star-Ledger (9/12, Raychaudhuri, 1.62M) reports that some 66,000 more New Jerseyans gained access to health coverage in 2016, thus dropping the state’s uninsured rate from 8.7 percent in 2015 to 8 percent in 2016. NJ Spotlight (9/13, Stainton) also covers the story.

The Providence (RI) Business News (9/12, Gowdey, 31K) reports data from the Census Bureau show “the percentage of uninsured Rhode Islanders fell from 5.7 percent (59,000 individuals) in 2015 to 4.3 percent (45,000 individuals) in 2016.” This means Rhode Island has the sixth lowest uninsured rate in the country.

The Quad-City (IA) Times (9/12, Tibbetts, 277K) reports that the number of uninsured Iowans decreased by 23,000 from 2015 to 2016, according to the Census Bureau, which leaves “just 4.3 percent of the state’s population without coverage.” By comparison, that figure was 5 percent in 2015.

PELOSI DECLINES TO ENDORSE SANDERS’ “MEDICARE FOR ALL” BILL. Kelsey Snell and David Weigel write in the Washington Post (9/12, Snell, Weigel, 10.38M) “Power Post” that on Tuesday, House Minority Leader Nancy Pelosi (D-CA) said “single-payer health insurance is not a litmus test for Democrats and that she herself is focused on protecting health-care coverage under the Affordable Care Act.” The article says Pelosi refused to endorse Sen. Bernie Sanders’ “Medicare for All” bill, and instead urged “Democrats to release a wide range of proposals to fix and improve” the ACA. Sanders is expected to release his bill later this week.

The Los Angeles Times (9/12, Mascaro, 4.49M) reports Pelosi indicated that her stance has “little to do with” the bill’s contents, and more to do with the fact that “she is working on more incremental gains to preserve and expand coverage for as many Americans as possible, despite Republican opposition to Obamacare.” Pelosi stated, “Right now, I’m protecting the Affordable Care Act. ... None of these other things, whether it’s Bernie’s [bill], can really prevail unless we have the Affordable Care Act protected.”

The AP (9/12) reports Pelosi explained that “while she has long supported the idea the bill captures, of everybody getting health coverage,” her immediate focus is protecting the ACA.

Politico (9/12, Kim, 3.6M) reports that Sander’ single-payer proposal “has quickly attracted support from a flock of Democratic senators in the mix for the 2020 presidential race, suggesting that it is rapidly becoming a litmus test among the liberal grass roots.” The Hill (9/12, Hellmann, 1.68M) also covers the story.

In a separate article, the Washington Post (9/12, 10.38M) reports that the bill is “problematic” for Pelosi because Democrats “need to win in red territory where government-funded health care is a much, much tougher sell than in a Democratic presidential primary.”

In a separate article, The Hill (9/12, Carney, 1.68M) reports that Senate Minority Leader Charles Schumer (D-NY) “is staying on the sidelines” where Sanders’ bill is concerned. Schumer said, “Democrats believe that health care is a right for all, and there are many different bills out there. There are many good ones.” He declined to say if he would co-sponsor the measure.

Meanwhile, in yet another article, The Hill (9/12, Lillis, 1.68M) reports that in spite of growing support for a single-payer health system, Democratic party leaders have been reluctant to endorse the proposals. The piece says that on Tuesday, Schumer and Pelosi refused “to throw their weight behind” Sanders’ “Medicare for All” bill.

Hoyer Says House Democratic Leaders’ Focus Is Preserving ACA, Not Supporting Single-

Payer Healthcare. The [Washington Examiner](#) (9/12, Weaver, 465K) reports that on Tuesday, House Minority Whip Steny Hoyer (D-MD) said “a single-payer or Medicare-for-all healthcare system would have ‘significant administrative and other issues’ and the priority of House Democratic leadership is to preserve and improve upon the Affordable Care Act.” He stated, “Our position is we are for affordable access of all Americans to affordable, quality healthcare. We’ve made that very clear. Medicare-for-all is one way to get there.” Hoyer added that he is not worried about losing centrist votes in next year’s midterms, because there has always been a faction which sought a public option.

Gillibrand Endorses Sanders’ Single-Payer Bill. [USA Today](#) (9/12, Gaudiano, 8.62M) reports that on Tuesday, Sen. Kirsten Gillibrand (D-NY), who is considered by many to be “a potential Democratic presidential candidate,” said she would co-sponsor Sanders’ single-payer legislation. The article says Gillibrand “is among 10 Democratic senators to publicly announce support for the ‘Medicare-For-All Act of 2017,’ a move that that strengthens her progressive bona fides if she were to decide to run in a Democratic presidential primary.”

The [Washington Times](#) (9/12, Howell, 541K) reports that in a tweet, Gillibrand stated, “Health care is a right, not a privilege. ... This week, I’ll proudly join Senator @BernieSanders to co-sponsor Medicare for All.” The article adds that endorsement of the single-payer idea “is emerging as a key test for Democrats ahead of the 2018 midterms and campaign to defeat President Trump, even though that contest is three years away.”

[The Hill](#) (9/12, Sullivan, 1.68M) also covers the story.

Nearly 25% Of Senate Dems Have Expressed Support For Sanders’ Single-Payer Bill. The [Washington Post](#) (9/12, Weigel, 10.38M) reports that Sanders’ “Medicare for All” bill has the “backing of at least 15 Democratic senators – a record level of support for an idea that had been relegated to the fringes during the last Democratic presidency.”

The [Wall Street Journal](#) (9/12, Armour, Hackman, Subscription Publication, 6.45M) reports that Republicans were quick to criticize Democrats’ support as a shift towards government overreach.

The [AP](#) (9/12, Fram) reports that Sen. Bill Cassidy (R-LA) said of the bill, “It’s laughable.”

Jeff Stein writes in a [Vox](#) (9/12, 1.54M) piece that so far, 11 of the 48 Democrats in the Senate have “decided to co-sponsor Sen. Bernie Sanders’ single-payer health care bill – just two years after Sanders could find zero co-sponsors for his legislation.” Stein adds that most of these supporters “tend to hail from blue states or are rumored 2020 presidential candidates.” He also says this growing support illustrates “a stunning shift among Democrats to embrace single-payer legislation – which was once circumscribed to the party’s far-left fringe.”

Despite Skepticism, Manchin Urges Senate To Explore Single-Payer System. [Bloomberg News](#) (9/12, Kapur, 4.52M) reports that on Tuesday, Sen. Joe Manchin (D-WV), “the most conservative Democrat” in the Senate, said “Congress should consider adopting a single-payer health-care system, a sign of how fast politics are shifting on what was once seen as a fringe issue on the left.” According to Manchin, the idea “should be explored.”

[The Hill](#) (9/12, Beavers, 1.68M) reports Manchin explained that “he is ‘skeptical’ of a single-payer healthcare system, saying that he simply supports digging into the complex details of the idea to see if it has potential.” Manchin added that despite his skepticism, he is convinced “the Senate should carefully consider all of the options through regular order so that we can fully understand the impacts of these ideas on both our people and our economy.”

The [Washington Times](#) (9/12, Howell, 541K) reports that Sen. Thomas Carper (D-DE) suggested, “Before we try it for our country, the idea of trying it for a couple of states seems to be logical.”

Vox (9/12, Scott, 1.54M), the Allentown (PA) Morning Call (9/12, Olson, 312K), TIME (9/12, Jenkins, 5.85M), and the Minneapolis Star Tribune (9/12, Brooks, 1.27M) also cover the story.

The Secretary in the News:

PRICE DISCUSSES RELIEF, RECOVERY EFFORTS FOLLOWING HURRICANE IRMA. On Fox Business Mornings with Maria (9/12), HHS Secretary Tom Price discussed relief and recovery efforts in the wake of Hurricane Irma. Price said that because a public health emergency was declared for impacted areas, HHS was able to “pre-deploy and get folk on the ground in those areas so that we were able to respond as rapidly as possible. HHS has over 600 individuals on the ground right now,” providing needed healthcare services, and “evaluating the hospitals and making certain we can get those hospitals back up and online especially in the Keys and in South Florida as rapidly as possible.” He said it is critical to be able to address the “acute needs” of hurricane victims. For instance, some people, such as dialysis patients, depend on having access to electricity to survive. Price explained that “HHS has a list of those individuals,” which it is able to share with local communities. Price also criticized Democrats’ growing support for a single-payer healthcare system, and insisted that it is essential to repeal and replace the ACA.

HOUSE DEMS URGE PRICE, VERMA TO PROVIDE FUNDING FOR ACA NAVIGATOR PROGRAMS. On its website, CNBC (9/12, Mangan, 3.48M) reports that on Tuesday, 31 House Democrats urged the Trump Administration “to unfreeze millions of dollars in grants for a program that gives Obamacare customers hands-on help signing up for health insurance.” In a letter to HHS Secretary Tom Price and CMS Administrator Seema Verma, the lawmakers wrote, “As of Monday...grantees have received no update on when they should expect to receive this essential funding. ... Disturbingly, we have heard reports that some Navigators have already been laid off because of CMS’s highly unusual action.” The lawmakers added that navigators are crucial to the ACA open enrollment process, and they warned that “discouraging enrollment could weaken the market and drive up premiums.”

The Hill (9/12, Weixel, 1.68M) reports that the lawmakers were led by Rep. Carol Shea-Porter (D-NH). The article adds that the Trump Administration recently “announced it was slashing the grant money for navigators by nearly 41 percent, or \$23 million.” The piece says the groups were “blindsided” by the news.

The Washington Examiner (9/12, Leonard, 465K) also covers the story.

WPOST: PRICE UNDERMINED TEST OF NEW MEDICARE PAYMENT MODEL MEANT TO SAVE GOVERNMENT MONEY. The Washington Post (9/12, 10.38M) editorializes that Health and Human Services Secretary Tom Price’s decision to stop or scale back potentially cost-saving “bundled payment” experiments the Obama administration had begun “was disheartening but no surprise.” Researchers found that applying the Medicare program nationwide “would save the government \$2 billion annually,” so HHS was poised to expand the program, but “HHS officials now and Mr. Price last year argue that the government should test new payment models but that experiments should be voluntary,” resulting in self-selection that undermines the experiments.

OPINION: OPPOSITION TO MEDICAL TREATMENT FOR OPIOID ABUSE STEMS FROM “LACK OF IMAGINATION.” Rep. Paul Tonko (D-NY), who represents New York’s 20th District and is a member of the Energy and Commerce Committee, writes in The Hill (9/13, 1.68M) to call for “evidence-based” medical treatment in an effort to curb the opioid epidemic. He suggests that progress in reducing the spread of the epidemic is hindered by “old stereotypes and a lack of imagination” about treatment options, noting that Health and Human Services Secretary Tom Price has “attacked medication-assisted treatment, claiming, ‘If we’re just substituting one opioid for another, we’re not moving the dial much.’” According to Tonko, “Secretary Price is missing the point” that medication-assisted treatment, when “backed by appropriate counseling and support,” can help opioid abusers find “the truest path back to a normal productive life.” He also references CDC data showing that “more than 64,000 family members, friends and neighbors died from drug

overdoses last year, an astonishing 21 percent increase from 2015.”

OPINION: OPIOID EMERGENCY MUST BE SKILLFULLY MANAGED TO AVOID “MONEY GRABS.” Former Maryland governor Robert L. Ehrlich, Jr. and public policy consultant Jim Pettit write in a [Baltimore Sun](#) (9/12, Ehrlich, Pettit, 706K) op-ed that President Trump should “identify specific goals” for his opioid “national emergency” in order “to avoid the mission creep often associated with government programs.” As an example, the authors point to Health and Human Services Secretary Tom Price’s grant awards under the “21st Century Cures Act” as “a refreshing attempt to strike a balance between an urgent spending priority and a process for tracking results.” The authors conclude that “a productive fight against the opioid scourge should be less about federal funding and lawsuit-induced money grabs and more about governing during a crisis.”

NATIONAL SCIENCE FOUNDATION AWARDS GEORGIA TECH PARTNERSHIP \$20 MILLION GRANT FOR NEW ENGINEERING RESEARCH CENTER. The [Atlanta Journal-Constitution](#) (9/12, Stirus, 1.16M) reports the National Science Foundation awarded a \$20 million grant for a “new engineering research center at Georgia Tech that will work closely with several other institutions, such as Emory University and the University of Georgia, and the private sector.” The grant comes as Georgia Tech and other state research colleges and universities “have raised concerns about possible reductions in research funding by the Trump administration. Leaders of the institutions wrote a joint letter in July to former Georgia congressman Tom Price..warning him of the potential impact of some cuts to the National Institutes of Health and other biomedical research awards.”

HHS in the News:

RESEARCHERS FIND POTENTIAL LINK BETWEEN FLU SHOT AND MISCARRIAGE EARLY IN PREGNANCY. The [Washington Post](#) (9/13, Sun, 10.38M) reports that investigators “studying the impact of the flu vaccine in pregnancy have found a possible link between miscarriage early in pregnancy in women who received the flu vaccine two years in a row.” Amanda Cohn, senior adviser for vaccines at the Centers for Disease Control and Prevention, which funded the research, said, “I think it’s really important for women to understand that this is a possible link, and it is a possible link that needs to be studied and needs to be looked at over more [flu] seasons.” Cohn added, “We need to understand if it’s the flu vaccine, or is this a group of women [who happened to receive flu vaccines] who were also more likely to have miscarriages.” The Post adds, “The CDC, the American College of Obstetricians and Gynecologists and the study authors continue to recommend that pregnant women get a flu vaccine during any stage of pregnancy because of the danger influenza poses to women and their developing babies.”

The [AP](#) (9/13) reports that the CDC “has reached out to...the American Congress of Obstetricians and Gynecologists to warn them the study is coming out and help them prepare for a potential wave of worry from expectant moms, CDC officials said.” The findings were published in [Vaccine](#).

[STAT](#) (9/13, 43K) also covers the story.

FORMER CDC DIRECTOR FRIEDEN DISCUSSES NEW GLOBAL HEALTH PROJECT FOCUSED ON HEART DISEASE, EPIDEMICS. The [Washington Post](#) (9/12, Sun, 10.38M) reports that Tom Frieden, who led the Centers for Disease Control and Prevention for “seven years” under President Obama, is spearheading a new global health initiative focused on “cardiovascular disease and epidemics.” The “\$225 million initiative, called Resolve...aims to reduce the global burden of heart disease and stroke, the world’s leading causes of death,” and will assist “low- and middle-income countries fight infectious disease epidemics” through improved technology and training.

The [New York Times](#) (9/12, Belluck, Hoffman, Subscription Publication, 13.56M) provides “a condensed and edited version” of its “conversation” with Frieden about the Resolve initiative. In

particular, Frieden states he is “focusing on sodium reduction, trans fats and blood pressure control,” and says, “Hands down, blood pressure control is the most important thing you can do in health care.”

The Wall Street Journal (9/12, McKay, Subscription Publication, 6.45M) reports that Frieden will work with the CDC and other organizations worldwide in his effort to improve countries’ epidemic response capabilities. The Journal says Frieden’s initiative is financially supported by several of the world’s most prominent philanthropists, including Michael Bloomberg, Mark Zuckerberg, and Bill and Melinda Gates.

Reuters (9/12, Steenhuysen) quotes Frieden as saying, “The Ebola epidemic revealed how vulnerable we are to threats, and was a stark reminder of the human and economic costs caused by the absence of strong public health systems.” Resolve’s infectious disease “efforts will focus on building disease tracking systems, laboratory networks and disease detectives” for quick identification of threats.

The Huffington Post (9/12, Weber, 5.74M) reports that Frieden’s goal is to save “100 million lives over 30 years.” The Campaign for Tobacco-Free Kids is among a number of organizations Resolve will work with to implement its programs. The article says Dr. Anthony Fauci, the director of the National Institute of Allergy and Infectious Disease, “has worked with Frieden to address outbreaks” and “said Resolve could have a major positive impact.” Fauci “highlighted the initiative’s ample resources and having control over an organization without the constraints of governmental bureaucracy,” adding, “I’m really looking forward to working with him in the coming years. It’ll be interesting to see what we can do when he’s on the outside and I’m on the inside.”

Also covering the story are The Hill (9/12, Bowden, 1.68M), NPR (9/12, Cole, 2.4M), STAT (9/12, Branswell, 43K), the Washington Examiner (9/12, Leonard, 465K), The Guardian (UK) (9/12, Boseley, 3.39M), and the Atlanta Business Chronicle (9/12, Hensley, Subscription Publication, 967K).

CDC WARNS EMPLOYEES TO AVOID SPEAKING TO THE MEDIA. The Hill (9/12, Sullivan, 1.68M) reports that the Centers for Disease Control and Prevention issued an internal email “warning employees not to talk to reporters unless they are cleared by the communications office.” According to the Hill, the email was written by “public affairs officer Jeffrey Lancashire” and read in part, “Effective immediately and until further notice, any and all correspondence with any member of the news media, regardless of the nature of the inquiry, must be cleared through CDC’s Atlanta Communications Office. This correspondence includes everything from formal interview requests to the most basic of data requests.” The email was “obtained by Axios.”

The Atlanta Journal-Constitution (9/12, Judd, 1.16M) “Watchdog Blog” also covers the story.

PHILIP MORRIS INTERNATIONAL TO GIVE \$1 BILLION TO FUND RESEARCH. Bloomberg News (9/13, Mulier, 4.52M) reports that Philip Morris International announced that it will commit around \$1 billion to setting up a foundation to reduce smoking and research “smoke-free alternatives, measure progress toward eliminating smoking and consider ways to prepare tobacco farmers for reduced demand.” PMI has applied to the US Food and Drug Administration for approval to market its IQOS device as a “product that may reduce the risk of smoking-related diseases.” The piece added that Mitch Zeller, director of the FDA’s Center for Tobacco Products, will speak at a nicotine conference on Wednesday to introduce the foundation.

The Financial Times (9/12, Jack, Subscription Publication, 1.34M) also covers the story.

FDA’S 510(K) REVIEW PROCESS FAILS TO FIND MAJOR GLITCHES IN HEALTH SOFTWARE, STUDY FINDS. STAT (9/12, Ross, 43K) reports that a study published in Milbank Quarterly finds “that 11 of the 12 software devices subjected to the highest-risk recalls between 2011 and 2015 went through a streamlined review process, known as 501(k), that didn’t require

testing for safety and efficacy,” with the other one “completely exempted from review.” The recalls “included life-sustaining equipment such as ventilators and infusion pumps, as well as a clinical decision support software used to flag adverse drug events during surgery.” In response, FDA spokesperson Stephanie Cacomo said, “FDA’s traditional approach to medical devices is not well-suited to these products. A new pragmatic approach must recognize the unique characteristics of digital health technology and the marketplace for these tools, so we can continue to promote innovation of high-quality, safe, and effective digital health devices.”

FDA INTENDS TO CLOSE ORPHAN DRUG LOOPHOLE ALLOWING COMPANIES TO AVOID TESTING DRUGS FOR CHILDREN. STAT (9/12, Silverman, 43K) reports that Food and Drug Administration Commissioner Dr. Scott Gottlieb acknowledged that some drug companies are using orphan drug designations “as a way to sidestep other important public health goals set out by Congress.” He said the FDA intends to close a loophole allowing drugmakers who receive an orphan designation to dodge a requirement to study drugs for children, which Gottlieb considers a “loophole that is in direct opposition to what Congress intended.”

HILTZIK: PHARMACEUTICAL LAWSUIT UNDERSCORES PROBLEMS WITH INDUSTRY REGULATIONS. Los Angeles Times (9/12, 4.49M) columnist Michael Hiltzik writes that Allergan’s lawsuit against San Diego “compounding” company Imprimis centers on Allergan “trying to close off a competitive strategy that could cost it customers and money over time.” Allergan alleges Imprimis is “creating, patenting, trademarking, marketing and selling standardized, mass-manufactured unapproved new drug...under the false guise of ‘compounding.’” Hiltzik writes that Allergan has pointed to Imprimis as being on the receiving end of “a handful of regulatory initiatives” implemented by the FDA, although Imprimis CEO Mark L. Baum said the lawsuit comes “because we’re having success.” Hiltzik observes that Baum has not denied “that his company is marketing drugs without obtaining FDA approval for them,” but rather “just says FDA approval isn’t necessary for its formulations.” Baum said that for some formulations that can be personalized but which stem from three or four original formulas, “we don’t need to go through the FDA” for approval. Hiltzik says the suit “underscores the ridiculous complexity of U.S. pharmaceutical regulations, which are full of loopholes and wormholes that can be routinely exploited by nimble drug companies.”

HOUSE, SENATE COMMITTEES REJECT TRUMP’S NIH BUDGET CUTS. GenomeWeb (9/12) reports in continuing coverage that both houses of Congress have rejected President Trump’s proposed 20 percent cut to the NIH budget for fiscal year 2018. The Senate Appropriations Committee approved a bill last week that allocates NIH \$36.1 billion for fiscal year 2018, while the House Appropriations Committee approved a \$35.2 billion budget. Lawmakers also rejected Trump’s plan to cut overhead payments from the agency to universities and research institutes.

Sen. Roy Blunt Receives Award For Advocating Increased NIH Funding. The St. Louis Post-Dispatch (9/12, Raasch, 831K) reports Sen. Roy Blunt (R-MO) received the “National Distinguished Advocacy Award” Tuesday by the American Cancer Society Cancer Action Network, an advocacy arm of the American Cancer Society, for “pushing for increased federal funding for cancer research.” The president of the organization giving Blunt the award said he “has made tremendous strides for Missouri and the rest of the nation by consistently authoring significant annual increases in federal cancer research funding.”

Increased NIH Funding Would Help Cleveland’s Health Institutions. The Cleveland Plain Dealer (9/12, Koff, 927K) reports the Senate Appropriations Committee last week approved spending \$36.1 billion for the NIH next fiscal year, a \$2 billion increase over this year’s allotment. The funding includes a \$169 million increase for the National Cancer Institute. According to the Plain Dealer, the move will help Cleveland-based institutions with research funding, such as Case Western Reserve University, University Hospitals and the Cleveland Clinic. The NIH “awarded \$734.2 million to Ohio universities and research centers in 2016, and \$654.7 million so far this year, with the Cleveland area getting the state’s biggest share.”

OPERA SINGER DISCUSSES HOW MUSIC AFFECTS BRAIN ACTIVITY. The Deseret (UT) News (9/12, Johnson, 381K) reports opera diva Renee Fleming told a large audience as part of a lecture series Monday afternoon that she participated in a study earlier this year at the National Institutes of Health to explore how the brain processes music. The brain scan revealed “that compared to speaking, more areas of the brain were active when Fleming was either singing or imagining that she was singing.” During her lecture, Fleming also recalled attending a tense dinner party with NIH Director Francis Collins and Supreme Court Justices Anthony Kennedy, Ruth Bader Ginsburg, and Antonin Scalia two years ago that saw Collins break the ice by taking out a guitar and having an “impromptu sing-along.”

NIA COMMITTEE ISSUES RECOMMENDATIONS ON ALZHEIMER’S TESTING. The Wall Street Journal (9/12, Wang, Subscription Publication, 6.45M) reports the National Institute on Aging and the Alzheimer’s Association recently convened a committee to issue recommendations on how healthcare professionals diagnose Alzheimer’s disease. The committee issued a report recommending researchers use tests for biological markers of Alzheimer’s such as brain imaging and substances in a patient’s cerebrospinal fluid when gathering study participants. Supporters suggest that the recommendations could ensure experimental treatments are tested on the appropriate population, which would promote more effective and meaningful research.

USPSTF ISSUES NEW DRAFT GUIDELINES FOR CERVICAL CANCER SCREENING. The AP (9/12, Neergaard) reports that cervical cancer screening “isn’t one-size-fits-all: Millions of women may soon have to decide between a routine Pap or a newer test that detects if they have a cancer-causing virus.” Draft guidelines from the US Preventive Services Task Force (USPSTF) “for the first time say either option is reasonable for certain women – those ages 30 to 65.” The USPSTF’s proposal would allow these women to “choose an HPV test by itself every five years – or a Pap every three years instead.”

The NPR (9/12, Haele, 2.4M) “Shots” blog reports that “the draft recommendations update the 2012 USPSTF recommendations.”

USPSTF OFFERS UPDATED RECOMMENDATIONS SAYING WOMEN CAN CHOOSE PAP SMEAR OR HPV TEST FOR CANCER TESTING. Reuters (9/12, Seaman) reports the US Preventive Services Task Force issued a draft recommendation saying women between the ages of 30 and 65 can choose to undergo a Pap test every three years or a human papillomavirus test every five years. The USPSTF updated its recommendations based on “new evidence,” and said the tests “offer a reasonable balance between benefits and harms.” The American College of Obstetrician and Gynecologists (ACOG) recommends Pap testing alone or in conjunction with HPV testing, according to Dr. Linus Chuang, professor of obstetrics, gynecology and reproductive science at the Icahn School of Medicine at Mount Sinai in New York. Dr. Chuang said, “I don’t think this will make American obstetricians and gynecologists change practice, because they will look at ACOG as gold standard. ... But this will challenge it.”

OKLAHOMA NURSING FACILITY REACHES AGREEMENT WITH HHS OVER DISCRIMINATION CASE. The Oklahoman (9/12, Wingerter, 443K) reports HHS’ Office for Civil Rights announced on Friday that Heritage Hills Living and Rehabilitation Center, a McAlester, Oklahoma, nursing facility, has agreed to implement changes after the facility discharged a patient for having HIV. Employees said they were unaware of the discharge, and a news release discussing the matter “offered few details” except that the female patient was very ill at the time of being discharged. OCR director Roger Severino in a news release called the matter “heart-wrenching.”

HHS SAYS ACA DATA NOT COMPROMISED IN EQUIFAX BREACH. Fierce Healthcare (9/12, Sweeney, 146K) reports the data breach at Equifax which involved “143 million people did not include information about consumers that purchased health insurance on the Affordable Care Act marketplaces, according to the Department of Health and Human Services.” The article says Equifax has “a \$329 million contract with HHS to verify incomes of individuals buying insurance

on the exchanges, but an HHS spokesperson told Bloomberg that data was not compromised in the massive data breach."

HOSPITAL GROUPS URGE CMS TO WITHDRAW PROPOSAL TO SLASH 340B MEDICARE DRUG PAYMENTS. Fierce Healthcare (9/12, MacDonald, 146K) reports that the American Hospital Association (AHA) and 340B Health wrote a letter to CMS Administrator Seema Verma in opposition to a proposal to cut Medicare drug payments to hospitals under the drug discount program. 340B Health wrote on behalf of its 1,300 public and private nonprofit hospitals in the program that the proposal would "violate both the 340B and Medicare statutes" and asked CMS to continue to reimburse hospitals at "6% more than the average sales price" of drugs. The AHA, which represents nearly 5,000 hospitals, expressed similar concerns, saying "CMS lacks statutory authority to impose such a drastic reduction in the payment rate for 340B drugs, effectively eviscerating the benefits of the program." On the other hand, the Community Oncology Alliance supports the proposal, pointing out that it will "reduce drug costs for seniors by an estimated \$180 million per year" and curb "outrageous hospital abuses" of the program.

Health Reform:

ALEXANDER INSISTS BIPARTISAN ACA STABILIZATION MEASURE WILL PRESERVE PATIENT PROTECTIONS. USA Today (9/12, Collins, 8.62M) reports that on Tuesday, Sen. Lamar Alexander (R-TN), chairman of the Senate Health, Education, Labor and Pensions Committee, said a proposal which aims to stabilize ACA marketplaces "would not strip away key patient protections enacted under the Affordable Care Act." Alexander explained that he wants to preserve "a provision guaranteeing that anyone can buy an insurance policy and other protections that bar insurers from rescinding coverage, charging higher rates to patients with pre-existing conditions and imposing annual or lifetime limits on health benefits." But he said states must be allowed "more flexibility to offer a larger variety of health insurance plans with more benefits and payment options."

ALEXANDER ACKNOWLEDGES "SIGNIFICANT DIFFERENCES" BETWEEN DEMS, GOP WORKING ON ACA STABILIZATION MEASURE. The Hill (9/12, Weixel, 1.68M) reports that on Tuesday, Senate Health Committee Chairman Lamar Alexander (R-TN) indicated that Republicans and Democrats are still not close to "finding a path to a compromise bill to stabilize ObamaCare." He "said Republicans want to make it easier for states to waive certain coverage protections, and Democrats will need to accept such changes if they want funding for insurers to help prevent an insurance premium spike." Alexander warned, "I would caution members that there are still significant differences to deal with."

Modern Healthcare (9/12, Meyer, Subscription Publication, 238K) reports that Alexander and ranking member Sen. Patty Murray (D-WA) "courteously clashed...over how much freedom Congress should give states to modify the Affordable Care Act's benefit rules in order to make individual coverage more affordable." In response to Alexander's comments, Murray stated, "It would be deeply disappointing if another partisan debate over Trumpcare erupted and derailed our efforts at this stage."

The Washington Examiner (9/12, King, 465K) also quotes Murray as saying, "Democrats will reject any effort to use this discussion as a way to erode the guardrails and protections that so many patients and families rely on."

Fierce Healthcare (9/12, Minemyer, 146K) reports that as the negotiations continue, "Democrats are worried that Republicans' requests might jeopardize their ability to strike a speedy deal." According to one aide, Republicans seem "to be pulling the negotiations in a more partisan direction from their side by pushing changes that Democrats have made clear from the start they wouldn't agree to – like rolling back protections for patients with pre-existing conditions."

SOME MEMBERS OF CONGRESS SEEK TO SHORE UP ACA MARKETPLACES. Reuters

(9/12, Cornwell) reports that congressional lawmakers were “wrestling with healthcare again on Tuesday, as lawmakers from both parties considered some approaches beyond simply repealing and replacing Obamacare.” The article says this new-found cooperation “appeared unlikely to yield dramatic changes soon, but marked a shift from the long-running, Republican effort to gut 2010’s Patient Protection and Affordable Care Act.” The piece adds that members of the Senate HELP committee from both parties “want to stabilize the Obamacare individual insurance market by protecting its ‘cost-sharing subsidies.’”

Kaiser Health News (9/12, Bluth) also covers the story.

GOP REPORTEDLY AT ODDS ABOUT WHETHER TO STABILIZE OR REPEAL ACA. Politico (9/12, Everett, Haberkorn, 3.6M) reports, “Republicans are paralyzed over what to do about health care, caught between a bipartisan effort to shore up Obamacare and the opportunity to take one last swing at their years-long promise to repeal the law.” The article says those leading both efforts have less than three weeks to accomplish their goals, because special “procedural powers for the GOP to repeal the law expire on Sept. 30, and insurance companies desperate for certainty have until Sept. 27 to decide whether to participate in Obamacare markets next year.”

HATCH CALLS CURRENT EFFORTS TO STABILIZE ACA MARKETPLACES “A BAILOUT.” The Hill (9/12, Hellmann, 1.68M) reports that on Tuesday, Senate Finance Committee Chairman Orrin Hatch (R-UT) “derided bipartisan efforts to shore up ObamaCare’s insurance market as a ‘bailout.’” He stated, “At this point, it’s pretty clear that the parties will need to work together if any of this is going to improve. That said, I am concerned that many of the proposals for a bipartisan solution would amount to little more than a bailout of the current system,” which “would be a mistake.”

“LAST-DITCH” ACA REPEAL EFFORT TO BE UNVEILED WEDNESDAY, WITHOUT LEADERSHIP SUPPORT. The Hill (9/12, Sullivan, 1.68M) reports that on Tuesday, Sens. Bill Cassidy (R-LA) and Lindsey Graham (R-SC) met with Senate Majority Leader Mitch McConnell (R-KY) “to discuss their last-ditch ObamaCare repeal bill.” Following the meeting, “Cassidy said the leader’s message was that Graham and Cassidy need to find 50 votes for the bill on their own.” The article says the bill “faces long odds,” and party leaders are not endorsing the effort. The piece adds that Cassidy and Graham intend to unveil the measure on Wednesday.

The Washington Examiner (9/12, Ferrechio, 465K) reports that Graham and Cassidy will be joined by Sen. Dean Heller (R-NV) and a fourth co-sponsor, Sen. Ron Johnson (R-WI), when they unveil the bill on Wednesday. The measure “would provide the \$1.2 trillion for Obamacare’s Medicaid expansion and tax credits to states in an attempt to get the states to develop their own healthcare programs.”

Steve Benen writes in an MSNBC (9/12, 7.73M) piece that it appears “the Republican health care crusade has already run its course,” but on Wednesday, “four GOP senators will make one last-ditch effort to get it back on track.” He argues that the plan has “profound flaws.” Benen adds that while it is not completely “impossible” for the plan to succeed, “even the most ambitious Republicans should concede this is a steep cliff to climb.”

Similarly, Dylan Scott writes in a Vox (9/12, 1.54M) piece that GOP senators who are making one last attempt to repeal the ACA have less than three weeks to accomplish their task. He adds, “The path forward is improbably narrow. Almost every seasoned Washington observer believes it can’t be done,” however, there is a slight possibility of success.

The Baton Rouge (LA) Advocate (9/12, Stole, 72K) and the Daily Intelligencer (NY) (9/12, Kilgore, 519K) also cover the story.

CASSIDY SAYS LATEST EFFORT TO REPEAL ACA IS NOT SUPPOSED TO BE PARTISAN. The Washington Examiner (9/12, King, 465K) reports that last week, Sen. Bill Cassidy (R-LA)

“said a last-dash effort to repeal Obamacare isn’t meant to be partisan and that he is reaching out to Democrats.” He stated, “We are actually trying to be bipartisan by allowing a blue state and a deep red state come up with a solution that works best for their folks.” According to the article, Cassidy said he has asked 10 Democratic senators to support the bill.

ANTHEM MULLING EXITS FROM MORE ACA MARKETPLACES. Bloomberg News (9/12, Tracer, Edney, 4.52M) reports that on Tuesday, Anthem, Inc. said it may exit more Affordable Care Act marketplaces “even as U.S. lawmakers debate steps to shore up the health law.” The company “is in talks with officials in some states ahead of deadlines later this month to decide whether to sell coverage in 2018, Chief Executive Officer Joseph Swedish said.” The article adds that Anthem intends to fully or partially exit nine of the 14 states where it currently offers ACA plans.

Reuters (9/12, Humer) reports that according to Swedish, “the company has been repositioning itself in states with an eye to re-entering when appropriate if Congress and the White House stabilize the individual markets.”

TRUMP ADMINISTRATION FUNDING CUTS IMPERIL ACA NAVIGATOR PROGRAMS IN ARIZONA. The Arizona Republic (9/12, Alltucker, 968K) reports, “The Trump administration’s decision to cut funding for a program that helps people sign up for Affordable Care Act health insurance has left some Arizona organizations facing budget shortfalls, reduced hours and possible layoffs.” The article says HHS has cut funding for ACA navigator programs by more than 40 percent for this fiscal year. This means “two Arizona entities that received navigator grants – the Arizona Alliance for Community Health Centers (AACHC) and the University of Arizona – don’t know if, or how much, they’ll receive to pay for these positions during the coming enrollment period.”

ACA NAVIGATORS IN TENNESSEE RESORTING TO GRASSROOTS METHODS FOLLOWING TRUMP ADMINISTRATION FUNDING CUTS. The Tennessean (9/12, Fletcher, 499K) reports that Affordable Care Act navigators in Tennessee are “devising a last minute, grassroots strategy to let people know when and how they can buy individual health insurance.” The article says that in the last four years, “national TV ads have beamed enrollment dates,” but with “the federal budget slashed from \$100 million to \$10 million,” navigators are turning to alternative ways, such as Facebook, local newspapers, and community bulletin boards, to spread the word about open enrollment.

BCBS OF ILLINOIS SMALL BUSINESS PLAN WILL NOT BE OFFERED THROUGH THE ACA EXCHANGE IN 2018. The Chicago Sun-Times (9/12, Armentrout, 742K) reports, “Blue Cross and Blue Shield of Illinois will no longer offer group plans for small businesses through the Affordable Care Act health insurance exchange, the company announced this week.”

Modern Healthcare (9/12, Schorsch, Subscription Publication, 238K) reports that small businesses with a Blue Cross & Blue Shield of Illinois plan purchased through the ACA exchange will have to look for alternatives, because that plan will not be offered in 2018. The article says this means small businesses in Illinois will have only one other option: Health Alliance. The piece adds that “the so-called Small Business Health Options Program, or SHOP, where small businesses nationwide can buy coverage on the federally-run online marketplace HealthCare.gov, never gained steam for a host of reasons.”

INSURERS TELL LAWMAKERS HOW TO STABILIZE ACA MARKETPLACES DURING SENATE COMMITTEE HEARING. Carolyn Y. Johnson writes in the Washington Post (9/12, 10.38M) “The Health 202” that insurers are testifying before the Senate Health, Education, Labor and Pensions Committee, and it is these “companies that will truly determine the success or failure of the Obamacare exchanges by providing the plans and health coverage choices for millions of Americans.” She adds that “insurers are going on the record with lawmakers. And they have their own demands and deadlines following the failure of the Republican-led Congress to

pass its repeal-and-replace plan.”

SANDERS COULD FRAME SINGLE-PAYER PLAN AS LITMUS TEST OR STARTING POINT.

Jonathan Cohn writes for the [Huffington Post](#) (9/12, Cohn, 5.74M) that Sen. Bernie Sanders (I-Vt.) will unveil a new version of his “Medicare-for-all” proposal on Wednesday, which he could present as “a litmus test” that “Democrats pledge fealty to” or “he could present...more as a concept, something he expects progressives to spend the next few years refining.” Cohn writes that if Sanders presents his bill as a finished product, Democrats “would need to explain how they intend for this transition to work” and how to mitigate the negative effects. As a starting point, Sanders could emphasize that a conversation “will take place among politicians and activists and works over the course of many years.”

WITHOUT CMS DECISION, IOWA INSURANCE COMMISSIONER “LESS OPTIMISTIC”

ABOUT ACA STOPGAP PLAN. The [AP](#) (9/12, Rodriguez) reports Iowa Insurance Commissioner Doug Ommen told state lawmakers on Tuesday that he is “less optimistic” the Centers for Medicare and Medicaid Services will approve a stopgap measure for the state’s individual insurance market to lower some people’s premiums. Ommen “indicated he had expected a decision amid a looming deadline on open enrollment for ACA coverage.” The plan, first submitted in June and finalized last month, would be in effect for 2018 and “also develops a program to help carriers with high-cost patients.”

The [Des Moines \(IA\) Register](#) (9/12, Leys, 324K) quotes Ommen as testifying that he is hopeful CMS official will approve the plan, saying, “If they don’t, we will be in much worse shape next year.” The article says Medica has proposed raising premiums by 58 percent for individual health insurance plans in Iowa next year and Ommen told legislators that Wellmark Blue Cross & Blue Shield “has told him it would propose 2018 rates that would be about half of Medica’s if federal officials approve Iowa’s ‘stopgap’ proposal.” Without the proposed changes, Wellmark has indicated it would stop selling new policies next year.

INSURER DEPARTURES COULD LEAVE 70,000 VIRGINIANS WITHOUT INDIVIDUAL

COVERAGE OPTIONS IN 2018. The [Roanoke \(VA\) Times](#) (9/12, Rife, 176K) reports that the Affordable Care Act exchange “is collapsing in Virginia” with the exit of Optima Health “leaving about 70,000 people without the ability to purchase health insurance for 2018.” Virginia Secretary of Health Bill Hazel said Tuesday that Washington had created this crisis. “They are the ones who have to fix it,” he said. “Our hands are all but tied.” The article notes that Aetna and Anthem left the marketplace this spring.

HHS IG REPORT SAYS REMAINING ACA CO-OPS NOT FINANCIALLY VIABLE. The [Daily Caller](#) (9/12, Pollock, Barton, 521K) reports the remaining six nonprofit health insurance co-ops established under the Affordable Care Act do not “appear to be financially viable and sustainable,” according to the Department of Health and Human Services Inspector General. The six remaining co-ops “reported net losses and had drawn down nearly all available CO-OP loan amounts as of December 31, 2016” and “Medical claims costs exceeded premiums for three of the six CO-OPs,” the report said. The article notes that the Centers for Medicare & Medicaid Services placed 10 of the 11 co-ops on “corrective action” or “enhanced oversight plans” in 2015 and 2016, and the IG report says oversight “did not prevent the CO-OPs from ceasing or planning to cease operations.”

HANDEL OVERSTATES ACA TAX IMPACT. The [Atlanta Journal-Constitution](#) (9/12, Greenberg, 1.16M) fact-checks the claim by newly elected Rep. Karen Handel (R-GA) that the Affordable Care Act “is the single largest tax increase in my lifetime history. You can’t repair a tax. You have to repeal it.” The article rates the claim as false because, since Handel was born in 1962, six of 28 tax increases examined were higher relative to the size of the economy.

VIRGINIA LT. GOV. CANDIDATE SUPPORTS SINGLE PAYER HEALTHCARE. The [Newport News \(VA\) Daily Press](#) (9/12, Ress, Subscription Publication, 170K) reports Justin Fairfax, the

Democratic candidate for lieutenant governor of Virginia supports the Affordable Care Act, Medicaid expansion, and favors “Medicare for all.” The article highlights the limited power of the office to implement any such policies, but says that lieutenant governors should “take a position on state legislative issues on which there’s a chance they’d be a tiebreaking vote,” although the General Assembly is “adamantly opposed.”

HATCH WARNS AGAINST ACA “BAILOUT” AMID HEALTHCARE REFORM

NEGOTIATIONS. The Deseret (UT) News (9/12, 381K) reports Sen. Orrin Hatch “decried” potential healthcare legislation that would provide a “bailout” for the Affordable Care Act. Hatch said Tuesday “its pretty clear that the parties will need to work together,” but “many of the proposals for a bipartisan solution would amount to little more than a bailout of the current system.” Hatch also said Tuesday that he wants lawmakers to curb individual and employer mandates.

COMMENTARY CONSIDERS HEALTH REFORM. Several outlets offer opinions on health reform.

The New York Times (9/13, Subscription Publication, 13.56M) says in an editorial that “President Trump clearly inherited an economy on the upswing,” but it remains to be seen “whether his administration and the Republican-controlled Congress will sustain the momentum, or even reverse it.” The Times explains that despite the economy’s improvement, “broad prosperity remains elusive,” and “Republican policy makers seem determined to undo the progress that has been made.” The Times adds that new Census Bureau data show “the ranks of the uninsured fell last year by 900,000 people, to an all-time low of 8.8 percent of the population. The decline is a result of the Affordable Care Act.”

William A. Galston writes for the Wall Street Journal (9/12, Subscription Publication, 6.45M) spotlighting Vermont Gov. Peter Shumlin’s failed attempt to shift his state to a single-payer healthcare system. Despite successfully campaigning on the issue, Shumlin never persuaded a majority and the economic costs were projected to be too high. Galston frames the case as a cautionary one for Democratic presidential aspirants endorsing Sen. Bernie Sanders’ national single-payer plan.

Adjunct professor of Internal Medicine at the University of Utah, Margaret Battin, writes for TIME (9/12, 5.85M) that the Veterans Affairs healthcare system offers a model for a “comprehensive, universal, effective and cheap” civilian healthcare system. Battin outlines the approach, which was first proposed a decade ago by public policy expert Phillip Longman.

In an editorial, the Los Angeles Times (9/12, 4.49M) writes that Senate Republicans should “stop flirting with yet another partisan proposal to ‘repeal and replace’ the Affordable Care Act, and start focusing instead on steps to make coverage more affordable.” The Times calls a proposal floated by Sens. Bill Cassidy (R-LA), Lindsey Graham (R-SC), and Dean Heller (R-NV) “irresponsible” as the Senate Health, Education, Labor, and Pensions Committee works toward a bipartisan fix.

The Los Angeles Times (9/12, 4.49M) editorializes that Medi-Cal provider directories are unnecessary wastes of paper. Three California health plans have asked the California Department of Health Care Services for permission to take advantage of a new federal rule allowing them to stop automatically sending the phonebook-sized directories, but they “are still waiting for approval,” which the Times says “seems like a no-brainer.”

Robert Pearl writes for Forbes (9/12, 5.11M) recapping the ongoing debate over the Affordable Care Act, framing it as “more like a Shakespearean play than a matter of policy.” In his description, Pearl writes “this production features three acts, several twists, and an ending that will likely prove predictable only in retrospect.”

Faris Harton, president of the Southeastern NC Central Labor Council, writes for the Wilmington

(NC) Star News (9/12, 138K) that “when Americans understand that the prohibitive cost of health care is due to the inefficiency of our for-profit system itself,” they will demand a single-payer Medicare-for-all system. Harton says that “over 25 percent of our health care dollars go to administrative costs” while other costs stem from “outrageous salaries and benefits of medical insurance and pharmaceutical industry CEOs and other top executives.”

Lori Lodes, former director of the office of communications for the Centers for Medicare & Medicaid Services, writes for Vox (9/12, 1.54M) that the Trump Administration’s “decision to cut funding for advertising and in-person assistance” is “is nothing less than sabotage.” Lodes writes that “vague awareness that the ACA exists is a lot different from knowing how to enroll,” and “in truth most people don’t know the open enrollment dates, and they don’t know that the deadline this year is December 15 — not January 31, like last year.”

Politico Magazine (9/12, 3.55M) contributing editor Bill Scher writes that in addition to Sen. Kirsten Gillibrand, other potential 2020 candidates including Sens. Cory Booker, Kamala Harris, Jeff Merkley, and Elizabeth Warren “have signed on” to Sanders’ bill. The Democratic Party is now “the party of single-payer health insurance. Big mistake.” Democrats, Scher argues, are “committing themselves to years more of treacherous health care debate, at a time when there are more pressing issues to confront,” and they are “emulating Donald Trump’s penchant for quick-fix, bumper-sticker solutions that prove to be, in his own words, more ‘complicated’ once in power.”

Tyler Cowen writes for Bloomberg View (9/12, 4.52M) that the major Democratic presidential candidates for 2020 “will end up endorsing some version of single-payer health care,” but an “obvious problem” is that “most people with private health insurance are pretty happy with their current arrangements.” Cowen says that single-payer systems in Europe and Asia “were instituted while health-care costs were still fairly low, and then kept down by government fiat,” but the US is not in such a position. Cowen also argues that “the Medicare for All movement is more about easing everyone’s access and boosting the usage of health-care resources,” not reducing use as in other single-payer systems.

Ken Herman, president of medical technology company Smith & Nephew, writes for the Austin (TX) American Statesman (9/12, Subscription Publication, 431K) that Congress “should seize the existing opportunity to score a bipartisan legislative victory — for patients, jobs and innovation — by permanently repealing the jobs-killing medical device excise tax” enacted under the Affordable Care Act. The 2.3-percent tax on medical devices has meant “less capital was available to invest in growing our business and developing the next generation of pioneering advanced medical devices.” If Congress doesn’t act, medical technology companies “will be hit with a \$20 billion tax increase at the end of the year.”

Diamond Naga Siu writes for Politico (9/12, 3.6M) that the Democratic Socialists of America finds itself with “unprecedented political potential,” but it is “struggling with an identity crisis as members scrap over whether to focus on national or local issues.” The organization grew fivefold with Sen. Bernie Sanders’ “meteoric” rise as “a self-described democratic socialist,” but the growth in recent years “still amounts to only 25,000 members total.” While many members want to focus at the local level, “others see a rare opportunity to leverage the Sanders wave and its existing power at the local level to influence national politics, namely the health care debate.”

Dr. Dana Goldman, is director of the Leonard D. Schaeffer Center for Health Policy & Economics at the University of Southern California, writes for STAT (9/12, 43K) that Sen. Bernie Sanders’ universal healthcare bill set to be released Wednesday is “bold and simple” but “only gets it half right.” Goldman warns that turning Medicare into a single-payer system would supplant private insurers at “an enormous price tag,” arguing that “universal catastrophic coverage” is a better way that “borrows from both progressive and conservative playbooks.” Goldman explains that from the perspective of insurers, “the new system would look like Medicare’s prescription drug plan.”

Opioid News:

OPINION: THERE IS NO SIMPLE POLICY SOLUTION TO THE OPIOID CRISIS. Two professors of economics at Princeton University, Anne Case and Angus Deaton, write in the [Washington Post](#) (9/12, 10.38M) that there is no “simple policy solution” to the opioid epidemic. They make four points about the crisis to “correct the record.” First, Medicaid is neither the problem nor the solution. Second, even if opioids are better controlled, there would still be deaths from suicide and liver diseases because of the “underlying depression,” arguing opioids “are like guns handed out in a suicide ward.” Third, the crisis has hit both men and women equally and fourth, it is not one for rural Americans alone. They conclude that the “long-run solution” is “higher wages and better jobs for working people” and that is a “far more difficult goal to attain.”

MOST AMERICANS PREFER NON-DRUG PAIN TREATMENT, ARE AWARE OF OPIOIDS’ DANGERS, SURVEY SUGGESTS. [TIME](#) (9/12, Sifferlin, 5.85M) reports that a new [survey](#) of “about 6,300 adults” showed that “nearly two thirds” indicated suffering “neck or back pain so great they sought a health care provider for relief, and 54% said they had neck or back pain for at least five years.” However, “78% said they preferred to try” alternative methods of pain management “before taking drugs.” The study’s authors wrote that the “findings suggest that Americans are aware of the dangers associated with opioid misuse and are open to drug-free alternatives for pain management,” adding, “These developments could be a sign of a future where patients and healthcare professionals alike are trying drug-free treatment options before relying on opioids.”

REP. WALDEN CALLS ON CONGRESS TO BOOST EFFORTS AGAINST OPIOID CRISIS. [The Hill](#) (9/12, Rubein, 1.68M) reports that House Energy and Commerce Committee chairman Rep. Greg Walden (R-OR) “wrote in a Morning Consult op-ed published Tuesday” that “it is of utmost importance we in Congress kick our work into high gear” to stem the opioid epidemic. The article says the committee will hold an opioid crisis hearing “the week of Oct. 23” where “lawmakers will receive an update on the implementation of the Comprehensive Addiction and Recovery Act,” and “agency officials helping address the epidemic at the federal level will also provide an update on their efforts.”

BLOG: TREAT OPIOID ADDICTION LIKE HOSPITAL-ACQUIRED ILLNESSES. Paige Minemyer writes for the [Fierce Healthcare](#) (9/12, Minemyer, 146K) that “hospitals must treat addiction like other hospital-acquired conditions” in order to better address the opioid crisis. Minemyer says multiple physicians recently contributed to a Health Affairs [blog](#) post stating that “hospitals and health systems will need to mobilize resources much like they did to improve antibiotic stewardship to reduce opioid overprescribing and change the approach to pain management.” The blog post also offers several “steps hospital leaders can follow to change the conversation around opioids.”

COLUMN: BETTER DATA NEEDED TO MEASURE TRUE EXTENT OF OPIOID EPIDEMIC. In his “Quick Study” column, Evan Horowitz of the [Boston Globe](#) (9/12, Horowitz, 969K) writes that death statistics are a flawed measure of the extent of the opioid crisis. For example, Horowitz says more individuals are surviving overdoses because of “the wide deployment of naloxone,” which “in theory” could “lower the opioid-related death rate even if heroin and fentanyl are still expanding their reach.” Horowitz concludes that to better “address the addiction crisis, we need timely, reliable information that reaches beyond mortality.”

SENATE COMMITTEE EXAMINES MARKETING PRACTICES OF OPIOID COMPANIES AT HEARING. The [Philadelphia Inquirer](#) (9/12, Sapatkin, 1.71M) reports on a Senate Homeland Security and Governmental Affairs Committee hearing on Tuesday on the marketing practices of the pharmaceutical industry in connection with opioids. The committee released a report last week entitled “Fueling an Epidemic: Insys Therapeutics and the Systemic Manipulation of Prior Authorization” examining the behavior of Insys Therapeutics, which made an opioid believed to have played a role in the death of a Philadelphia-area woman last year. Her mother and others

affected by the opioid crisis testified at the hearing.

OPINION: PRESIDENT TRUMP “DITHERS” ON OPIOID EMERGENCY. Renee Graham writes in the Boston Globe (9/12, Graham, 969K) that a month after announcing that he would declare the opioid crisis “a national emergency,” President “Trump’s actions don’t reflect this issue’s gravity.” Specifically, Graham points out that Trump has yet to “officially declare” the national emergency, but has “found time to pardon racist former Arizona sheriff Joe Arpaio; threaten with deportation undocumented immigrants brought to this country as children; and move to ban transgender men and women from serving in the military.” Graham concludes, “If there’s a plan, he needs to unveil it; meanwhile, as Trump dithers, people die, families mourn, and communities buckle under the weight of addiction and the agony of its government’s inexplicable inaction.”

Healthcare News:

CENTENE TO BUY NEW YORK’S FIDELIS CARE FOR \$3.75 BILLION. The Wall Street Journal (9/12, Mathews, Aremental, Subscription Publication, 6.45M) reports that Centene Corp. announced Tuesday that it will buy nonprofit health insurer Fidelis Care in a \$3.75 billion deal. The deal adds 1.6 million members in New York to Centene. Centene is a leader in Medicaid managed care business and Medicare, and is also active in Affordable Care Act exchange plans. The deal is expected to close in the first quarter, according to the Journal.

Reuters (9/12, Mukhopadhyay) reports that Centene said the deal “would significantly improve the company’s earnings per share” and its stock rose 6.7 percent in aftermarket trading on Tuesday.

Forbes (9/12, Japsen, 5.11M) reports that unlike its competitors Aetna, Anthem, UnitedHealth Group, and Humana, Centene is expanding into new markets and “has been able to successfully manage the costs of sick uninsured Americans buying individual policies on the ACA’s public exchanges.” Centene had nearly 1.1 million customers enrolled in ACA marketplaces as of June 30 this year, compared to 617,700 at this time last year. Fidelis, the article says, is “an established player in New York’s Obamacare, Medicaid and Medicare Advantage markets.”

Fierce Healthcare (9/12, Small, 146K) reports that Centene’s CEO Michael Neidorff said, “Centene’s entrance into the state of New York marks a significant step in our strategy to continue to be the national leader in government-sponsored healthcare,” and, when completed, Centene will have a “leadership position” in the US’ four largest managed care states: California, Florida, Texas, and New York.

Buffalo (NY) Business First (9/12, Drury, Subscription Publication, 839K) reports that the sale will also result in the “creation of a private charitable foundation that will be focused solely on New York and centered on the health and welfare of poor, low-income, elderly, disabled and underserved individuals and families throughout New York state.”

Modern Healthcare (9/12, Livingston, Subscription Publication, 238K) also covers the story.

OHIO SUPREME COURT HEARS ARGUMENTS ON STATE’S EFFORT TO CLOSE ABORTION CLINIC. In continuing coverage, the AP (9/12) reports that the Ohio Supreme Court on Tuesday heard arguments in a dispute over “the state Health Department’s order to shut down Toledo’s last abortion clinic.” The health department ordered the clinic to close in 2014 because it “didn’t have a patient-transfer agreement with a local hospital,” as mandated by “restrictions Ohio lawmakers passed in 2013.” The clinic, however, “sued and won in the lower courts,” and has been permitted “to continue operating as the legal dispute” continues.

LAWYERS PETITION TRUMP ADMINISTRATION TO PROTECT PRO-LIFE CLINICS FORCED TO “PROMOTE ABORTION” UNDER STATE LAWS. The Washington Times (9/12, Richardson, 541K) reports that attorneys for the Alliance Defending Freedom filed a complaint on

Monday with the US Department of Health and Human Services “asking the agency to protect the free speech rights of pro-life doctors and women’s health clinics” from state laws which they say are “trying to force them to promote abortion.” Laws in Illinois and Hawaii require pro-life physicians and pregnancy centers to “tell their patients about the availability of state-sponsored abortions” or to post signs in their offices directing patients to a state agency that provides abortion referrals. The petition argues that such laws violate federal law and the US Constitution.

Human Services News:

TEXAS, FOSTER-CARE PROVIDERS EVACUATED, MONITORED FOSTER CHILDREN DURING HARVEY. The [AP](#) (9/12, Garrett) reports Texas Child Protective Services announced on Monday that Hurricane Harvey forced them to “evacuate more than 400 foster kids in institutions ... and, probably, hundreds more who lived in foster homes along the Gulf coast.” According to the AP, “CPS workers in about 55 affected counties made timely initial checks on nearly 96 percent of youngsters named in child maltreatment tips of the most serious kind between the night of Aug. 24, just before Harvey made landfall, and Monday,”

DHHS RESPONDS TO MAINE LAWMAKERS’ QUESTIONS ABOUT TREATMENT OF DISABLED ADULTS. The [Portland \(ME\) Press Herald](#) (9/12, Gallagher, 191K) reports that the Maine Department of Health and Human Services sent a 21-page written response on Tuesday to the Legislature’s Health and Human Services Committee seeking details about a “recent federal audit that found the department failed to properly report and monitor incidents involving abuse or deaths of disabled people in the care of community-based providers.” Among others, the committee had asked why the agency had failed to investigate the deaths of 133 disabled adults according to the report by the Office of Inspector General of the US Department of Health and Human Services released on August 10. The committee plans to release the letter after its members reviewed it, either late Tuesday or on Wednesday.

Medicare:

HEALTHCARE PROVIDERS AT ODDS OVER CMS PROPOSAL FOR JOINT REPLACEMENTS AT SURGICAL CENTERS. [Modern Healthcare](#) (9/12, Dickson, Subscription Publication, 238K) reports that healthcare providers take both sides of a CMS proposal that would allow surgical centers to perform knee replacements. Some in the medical community contend that the proposal could put patient safety at risk because Medicare beneficiaries tend to be older and sicker than non-Medicare beneficiaries – nearly 50 percent of them “live with four or more chronic conditions.” On the other hand, those in favor of the proposal say “not all Medicare beneficiaries need the level of care provided at acute-care hospitals following a joint replacement” and outpatient settings may be a less costly alternative. CMS is expected to release the final 2018 outpatient pay rule in November.

PROVIDER, HEALTH IT GROUPS ASK CMS TO WAIVE RESTRICTIONS ON TELEHEALTH. [Fierce Healthcare](#) (9/12, Sweeney, 146K) reports provider and health IT groups “are generally pleased with a proposal issued by federal officials to expand Medicare coverage for telehealth services under the 2018 physician fee schedule, but several are pushing for even more flexibility to integrate connected health technology.” In comments submitted to the agency, the American Medical Association and Healthcare Information and Management Systems Society (HIMSS) “say CMS can do more to remove payment restrictions.” In particular, AMA “wants CMS to utilize its waiver authority to provide better care at a lower cost and raised concerns that the proposed codes for remote monitoring were too general.”

OHIO’S SUMMACARE, UNIVERSITY HOSPITALS AGREE TO CO-BRAND MEDICARE MANAGED-CARE PLANS. The [Akron \(OH\) Beacon Journal](#) (9/12, Lin-Fisher, 235K) reports that SummaCare will add the University Hospitals name to its Medicare managed-care plans, so that the plans will be known as University Hospitals Medicare Advantage from SummaCare.

SummaCare is the largest Medicare managed-care insurer in Summit County and “has room to grow” in other counties. The co-branding is seen as a way for the Akron-based insurer to grow its network in Portage, Cuyahoga, Geauga, and Lorain County where the Cleveland-based University Hospitals health system has hospitals. Financial terms of the deal were not disclosed.

Medicaid & CHIP:

SENATORS STRIKE DEAL TO EXTEND CHIP PROGRAM. The New York Times (9/12, Pear, Subscription Publication, 13.56M) reports top senators on the Senate Finance Committee announced on Tuesday night “that they had reached agreement on a plan to prevent the imminent exhaustion of federal funds for the Children’s Health Insurance Program,” which is set to expire at the end of this month. Finance Committee Chairman Orrin G. Hatch and ranking Democrat Ron Wyden struck an agreement that would fund the program for five additional years.

Reuters (9/12, Beech) reports that in a statement Hatch said, “I am hopeful we can move forward swiftly to ensure no lapse in care for our nation’s most vulnerable children,” calling the agreement “a good first start.”

The AP (9/12, Fram) reports the program “provides health coverage to around 8 million low-income children and pregnant women” and is “a widely supported initiative.”

The Hill (9/12, Weixel, 1.68M), Politico (9/12, Pradhan, 3.6M), and the Washington Examiner (9/12, King, 465K) also report.

OPINION: BLAMING MEDICAID FOR THE OPIOID CRISIS MAY BE WRONG. Aaron Carroll, professor of pediatrics at Indiana University School of Medicine, and health economist Austin Frakt challenge the theory that Medicaid expansion is “fueling” the opioid crisis in an op-ed in the New York Times (9/12, Subscription Publication, 13.56M). They argue that it may be “convenient” argument for opponents of the Affordable Care Act, but “substantial evidence” suggests that it is not true. They cite the Department of Health and Human Service’s statement which says, “Correlation does not necessarily prove causation,” and examine research showing that opioid use was already on the rise before Medicaid expansion. They also argue that the rising opioid use may have caused states to expand Medicaid, rather than the other way around. The authors conclude, “To use a theoretical Medicaid-opioid connection (for which the evidence is weak anyway) to justify scaling back Medicaid ignores the larger picture – that it is a crucial aspect of our safety net, providing access to health care and financial protection that many low-income Americans could not otherwise obtain.”

ANALYSIS: TRUMP CONTINUES FUNDING OF PLANNED PARENTHOOD BY SIGNING CONTINUING RESOLUTION. The Daily Caller (9/12, Carr, 521K) reports that by signing the continuing resolution on Friday, President Trump continued current funding of Planned Parenthood until at least December 8, despite his promises to the contrary during the campaign. The Daily Caller adds that the Administration did “stop all funding to abortion providers via Medicaid and Title X programs” and has said that Trump’s budget will prohibit funding for entities that provide abortions, including Planned Parenthood.

OPINION: EXPANDING MEDICAID IN MAINE WILL HELP HOSPITALS, ECONOMY. James Myall writes in the Portland (ME) Press Herald (9/12, 191K) that the ballot measure to expand Medicaid will help more than 70,000 low-income Mainers working in low-wage jobs get access to affordable healthcare. Myall criticizes Maine Gov. Paul LePage (R) and his “series of false or misleading statements” opposed to expansion. He argues that expansion will provide over \$500 million in new federal funds every year to the state’s hospitals and health centers, and concludes that the “evidence is overwhelmingly in favor of Medicaid expansion, so opponents rely on alternative facts, distortions and misrepresentations. It won’t work.”

CANDIDATE FOR COLORADO GOVERNOR PROPOSES MEDICAID-FOR-ALL

HEALTHCARE PLAN. The [Denver Post](#) (9/12, Frank, 817K) reports that Colorado gubernatorial candidate Cary Kennedy is proposing a "Medicaid-for-all" healthcare system for Colorado. Under the proposal, anyone on the individual market could join the Medicaid system or the state employee healthcare plan. Those individuals would "pay the full cost of their coverage with premiums" but she could not provide what that estimated cost would be. The piece adds that other states are considering similar plans, like Nevada which passed a Medicaid-for-all bill this year but it was vetoed by the governor. The Post also discusses the plans of other contenders as well as criticisms from Republicans who want to reduce the size of Medicaid.

ARIZONA SUPREME COURT TO DECIDE MEDICAID EXPANSION CASE. The [AP](#) (9/12) reports that the Arizona Supreme Court will hear a challenge from Republican lawmakers to the Medicaid expansion who argue that a hospital assessment that pays the state costs is unconstitutional. The lawmakers say the assessment is a tax that requires a two-thirds supermajority to pass. Both the trial court and the court of appeals held the hospital assessment to be constitutional, ruling against the Republican state lawmakers who are represented by the Goldwater Institute.

OP-ED: MEDICAID EXPANSION COULD HELP THE HOMELESS. Public health student Stephanie Burdick writes in an op-ed in the [Deseret \(UT\) News](#) (9/12, 381K) that "Medicaid expansion can provide the much-needed funding and affordable health care to address the needs of our homeless friends and the tens of thousands of other low-income Utahns left uninsured." Burdick discusses five ways Medicaid expansion can help, including increasing access to primary care providers and treatment for mental health and opioid abuse.

Health & Medical News:

SEN. MCCAIN TO RECEIVE BRAIN CANCER TREATMENT AT NIH WHILE CONTINUING SENATE WORK. The [Washington Post](#) (9/12, Sullivan, 10.38M) "PowerPost" reports Sen. John McCain (R-AZ) will undergo treatment for brain cancer at the National Institutes of Health as he continues to attend to his duties in the Senate, his office said Tuesday. In a statement, his office said McCain received an MRI at the NIH in Bethesda on Monday. "Following the advice of his doctors, Senator McCain will continue to receive targeted radiation and chemotherapy treatments at NIH while maintaining a regular work schedule in the United States Senate," the statement said.

The [AP](#) (9/12) reports the 81-year-old senator "disclosed his diagnosis in July, and returned home for treatment after casting the decisive vote to kill Republican legislation to repeal and replace the Obama health law." McCain said in a weekend CNN interview that he is confident about defeating brain cancer, but also said, "Every life has to end one way or another."

Also covering this story are [USA Today](#) (9/12, Estepa, 8.62M), [CBS News](#) (9/12, 4.42M), [Arizona Republic](#) (9/12, 968K), [The Hill](#) (9/12, Carney, 1.68M), [Roll Call](#) (9/12, Williams, 134K), and [Washington Examiner](#) (9/12, 465K).

MENOPAUSAL HORMONE THERAPY DRUGS APPEAR NOT TO INCREASE RISK OF PREMATURE DEATH, RESEARCHERS SAY. In "Well," the [New York Times](#) (9/12, Bakalar, Subscription Publication, 13.56M) reports, "The largest and longest clinical trials to date of menopausal hormone therapy have found that the drugs do not increase the risk of premature death," researchers reported. In the *Journal of the American Medical Association*, Endocrine Society member and study lead author JoAnn E. Manson, MD, DrPH, FACE, "chief of the division of preventive medicine at Brigham and Women's Hospital," and colleagues "reported the results of two randomized trials." In one trial, "16,608 women took either a placebo or a combination of estrogen and progesterone for an average of 5.6 years." In the second trial "10,739 women took either a placebo or estrogen alone for an average of 7.2 years. The women were 50 to 79 years old."

NBC Nightly News (9/12, story 7, 2:05, Holt, 16.61M) NBC: Menopause-Hormone Therapy Safety. (story 7, 2:05 Holt 09/12) reports that the study concludes that "women who choose" hormone therapy drugs "are no more likely to die years later than those who do not."

The AP (9/12, Tanner) reports, "The new results are reassuring and support current advice: Hormones may be appropriate for some women when used short-term to relieve hot flashes and other bothersome menopause symptoms," the study concluded. Dr. Manson said, "It's the ultimate bottom line." When a patient wants "to know" is this medication going to kill me'...the answer appears to be no, she said."

According to MedPage Today (9/12, MinerD, 60K), the author of an accompanying editorial (9/12, 745K) wrote, "This information will be helpful in counseling women considering whether to start hormone therapy and hopefully will alleviate concerns that many patients and physicians have about the initiation of hormone therapy." The study received its funding from the National Institutes of Health.

Also covering the story are Reuters (9/12, Rapaport), Los Angeles Times (9/12, Healy, 4.49M) and TIME (9/12, Park, 5.85M), TODAY (9/12, Fox, Silverman, 1.25M).

NEW TEXAS SCHOOL BUSES REQUIRED TO HAVE SEAT BELTS. The Dallas Morning News (9/12, Email, 984K) reports that as of this month, all 2018 and later model school buses in Texas must be equipped with "three-point" shoulder lap belts for each passenger. School districts may opt of the requirement, but only after conducting an open vote following a public hearing. The American Academy of Pediatrics and National Safety Council have "long endorsed seat belts in school buses." The National Highway Safety Traffic Association, "in a bellwether switch," also endorsed seat belts on buses in late 2015.

EXTENDED BREASTFEEDING CAN HELP PREVENT ENDOMETRIOSIS. Reuters (9/12, Harding) reports in continuing coverage that a new study suggests women who nurse their babies are less likely to develop to endometriosis. The longer they breastfeed, the study found, the lower the risk. Study co-author Dr. Leslie V. Farland of Harvard Medical School said, "For women who are interested in reducing their risk for endometriosis, breastfeeding is one potential modifiable way that women can reduce their risk."

SHULKIN: CANINE RESEARCH PROGRAM BENEFITS VETERANS, NEEDS SENATE'S PRESERVATION. U.S. Secretary of Veterans Affairs David J. Shulkin writes in a USA Today (9/12, 8.62M) op-ed that legislation recently tacked on "to an unrelated spending bill passed by the House of Representatives would eliminate" the VA's "canine research program." Shulkin says the legislation, if approved by the Senate, "would stop potential VA canine research-related medical advancements that offer seriously disabled veterans the hope of a better future." Shulkin calls on the Senate to "take a stand and preserve humane and carefully supervised canine research at VA."

The Washington Examiner (9/12, Kasperowicz, 465K) reports that the "language banning most dog testing at the VA passed in an easy voice vote in the House, but opposition to it has grown since then." The article says the Senate's vote could take place "in the coming weeks."

PENNSYLVANIA SENATOR ASKS MARIJUANA GROWER TO RESCIND LAWSUIT OVER STATE'S PERMIT AWARDS. The Pittsburgh Tribune-Review (9/12, Schmitt, 236K) reports that marijuana grower Keystone ReLeaf LLC filed a lawsuit against Pennsylvania on Friday after the company failed to win a permit "to grow and process marijuana in the state." Keystone ReLeaf alleges "bias and favoritism" in the state's permit selections and "has asked the court to rescind all awarded permits and start again from scratch." State Sen. Daylin Leach wrote a letter asking the company to withdraw its case, saying, "If the entire program is delayed, people will be forced to needlessly endure excruciating pain, agony, and, in some cases, death."